



AGENDA
REGULAR MEETING OF THE
WINDSOR HEIGHTS CITY COUNCIL
MONDAY, JUNE 3, 2019 – 6:00 P.M.
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66TH ST

Notice to the Public: Full detail and supporting documents for each item can be found at www.windsorheights.org. If you do not have web /internet access, and would like the supporting documents and information, please call City Hall by noon the day of the meeting. You will need to pick up and pay for your copy by 4:15 p.m. per charges in the City Hall fee schedule. In consideration of all, if you have a cell phone, please turn it off or put it on silent ring. The use of obscene and vulgar language, hate speech, racial slurs, slanderous comments, and any other disruptive behavior during the Council meeting will not be tolerated and the offender may be barred by the presiding officer from further comment before the Council during the meeting and/or removed from the meeting.

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of the Agenda**
- 4. Public Forum:** This is time set aside for comments from the public on topics of City business other than those listed on the agenda. No action may be taken. Please come to the podium, state your name and address for the record and keep your comments to no more than 5 minutes.
- 5. Consent Agenda:** Any item on the Consent Agenda may be removed for separate consideration.
 - A. Approve Minutes of the Regular Council Meeting on May 20, 2019
 - B. Approve Payment of Cash Disbursements
 - C. Liquor License Renewal, Quik Trip
 - D. Liquor License Approval, Wine Wagen
 - E. Set Public Hearing for Jake's Fireworks for Site Plan Approval for June 17, 2019
 - F. Approve cancellation of July 1st regular City Council Meeting
- 6. Old Business:**
 - A. Approve Third and Final Reading to Ordinance No. 19-03, Amending Chapter 101.04 of the Code of Ordinances relating to Storm Water Rates
 - B. Approve Third and Final Reading to Ordinance No. 19-04, Amending Chapter 60.04.04 of the Code of Ordinances relating to Special Speed Zones
 - C. Approve Second Reading to Ordinance No. 19-05, Amending Chapter 161 of the Code of Ordinances regarding Post-Construction Storm Water Management
 - D. Approve Second Reading to Ordinance No. 19-06, Amending Chapter 96 of the Code of Ordinances
- 7. New Business:**
 - A. Discussion and Appropriate Follow Up on new concept for University Avenue Redesign
 - B. Approve Pay Request No. 1 to MNM Concrete for the Community Center Sidewalk Improvements in the amount of \$12,817.40
 - C. Discussion and Appropriate Follow Up on the K-9 Program

8. **Reports: Mayor and Council Reports/Committee Updates**
9. **Closed Session:** Pursuant to Iowa Code Section 21.5 (1)(c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
10. Possible Action after Closed Session
11. **Closed Session:** Pursuant to Iowa Code Section 21.5 (1)(c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
12. Possible Action after Closed Session
13. **Reports: Mayor and Council Reports/Committee Updates**
14. **Adjourn to 6:00 pm on Monday, June 17, 2019, for a Regular Council Meeting at the Council Chambers.**

The agenda was posted on the official bulletin boards and email on May 30, 2019, in compliance with the requirements of the open meetings law.

Council Packet Memo
May 30, 2019

5. CONSENT AGENDA

E. Jake's Fireworks Site Plan Approval: The site plan for Jake's Fireworks was approved by the Planning and Zoning Commission on April 24th. Staff recommends setting the public hearing for June 17, 2019.

6. OLD BUSINESS

A. Third and Final reading to an Ordinance Amending Chapter 101.04 of the Storm Water Ordinance relating to the rates: Attached you will find the redline version of Chapter 101. Staff recommends final approval.

B. Third and Final reading to an Ordinance Amending Chapter 60.0404 of the Traffic Ordinance regarding Special Speed Zones: Attached you shall find redlines of the proposed amendments to the code. Staff recommends final approval.

C. Second reading to an Ordinance Amending Chapter 161 of the Code of Ordinances regarding Post-Construction of Storm Water Drains: Attached you shall find redlines of the proposed amendments to the code. Staff recommends approval of second reading.

D. Second reading to an Ordinance Amending Chapter 96 of the Code of Ordinances regarding Building Sewer Connection Fees and Responsibility: Attached you shall find redlines of the proposed amendments to the code. Staff recommends approval of second reading.

7. NEW BUSINESS:

A. Discussion and Appropriate Follow up on New Concept for University Avenue Redesign: Council members Mike Jones and Mike Loffredo would like to propose a new concept for discussion.

B. Approve Pay Request No. 1 to MNM Concrete for the Community Event Center Sidewalk Improvements in the amount of \$12,817.40: MNM Concrete submitted the attached pay request for this project. The total project has been completed. Bolton & Menk and staff have inspected the work and recommends holding 5% retainage and submitting payment of the remaining amount of \$12,817.40.

C. Discussion and Appropriate Follow on the K-9 Program: Attached you shall find a prepared action form, which includes history, options, and a staff recommendation. Staff recommends

City of Windsor Heights Regular Business Meeting Minutes
Monday, May 20, 2019 – 6:00 P.M. Council Chambers

1. Call to Order: Mayor Burgess called the meeting to order at 6:00 P.M.

Council members present: Zachary Bales-Henry, Joseph Jones, Mike Loffredo, Mike Jones, and Threase Harms.

Staff present: City Administrator Elizabeth Hansen, City Clerk Travis Cooke, Public Safety Director/Police Chief Chad McCluskey, Deputy Clerk/Communications Specialist Jessica Vogel, Public Works Director Dalton Jacobus, City Attorney Erin Clanton, and City Engineer Justin Ernst.

2. Pledge of Allegiance: Pledge of Allegiance was recited.

3. Approval of the Agenda: Motion by Bales-Henry to approve the agenda. Seconded by Mike Jones. Motion passed unanimously on a roll call vote.

4. Public Hearing (s):

A. Amendments to Chapter 161 regarding Post-Construction Storm Water Management

i. Public Hearing: Motion by Mike Jones to open the public hearing at 6:01 PM. Seconded by Joseph Jones. Motion passed unanimously on a roll call vote. There being no comments Harms made a motion to close the public hearing at 6:02 PM. Seconded by Bales-Henry. Motion passed unanimously on a roll call vote.

ii. Approve First Reading to Ordinance No. 19-05, Amending Chapter 161 of the Code of Ordinances: Motion by Bales-Henry to approve the first reading of Ordinance No. 19-05, Amending Chapter 161 of the Code of Ordinances. Seconded by Harms. Motion passed unanimously on a roll call vote.

B. Amendments to Chapter 96

i. Public Hearing on Chapter 96: Motion by Loffredo to open the public hearing at 6:03 PM. Seconded by Joseph Jones. Motion passed unanimously on a roll call vote. Comments: John McKee, 6616 Del Matro – spoke in opposition to the ordinance; city should be responsible for the service wye. Motion by Harms to close the public hearing at 6:12 PM. Seconded by Mike Jones. Motion passed unanimously on a roll call vote.

ii. Approve First Reading to Ordinance No. 19-06, Amending Chapter 96 of the Code of Ordinances: Motion by Joseph Jones to approve the first reading of Ordinance No. 19-06, Amending Chapter 96 of the Code of Ordinances. Seconded by Bales-Henry. Motion passed unanimously on a roll call vote.

C. Public Hearing on Issuance of Revenue Bonds in the amount not to exceed \$4,200,000 for ChildServe Inc. Project.

i. Public Hearing: Motion by Harms to open the public hearing at 6:13 PM. Seconded by Joseph Jones. There being no comments Harms made a motion to close the public hearing at 6:14 PM. Seconded by Joseph Jones. Motion passed unanimously on a roll call vote.

ii. Resolution No. 19-0519, A Resolution Approving the Issuance of Revenue Bonds: Motion by Joseph Jones to approve Resolution No. 19-0519, A Resolution Approving the Issuance of Revenue Bonds. Seconded by Harms. Motion passed unanimously on a roll call vote.

iii. Resolution No. 19-0520, A Resolution Authorizing the Issuance, Execution, Delivery and Sale of Revenue Bonds: Motion by Joseph Jones to approve Resolution No. 19-0520, A Resolution Authorizing the Issuance, Execution, Delivery and Sale of Revenue Bonds. Seconded by Harms. Motion passed unanimously on a roll call vote.

5. Public Forum:

Colleen Kelleher, 6529 Colby Ave – reported yard clippings in streets plugging storm drains.

Dan Bredback, 1201 64th St. – spoke in opposition to increasing the speed limit on University.

David Swartz, 6601 Northwest Dr. – presented a check to Mayor Burgess on behalf of the Windsor Heights Foundation for the Trial Signage Project.

Lauren Campbell, 1004 63rd St. – ribbon cutting at Wal-Mart on 5/22.

Susan Skeries, 1441 64th St. – thanked area businesses, city staff, and council member Harms for support of the Firefighters Association Annual Pancake Breakfast.

John Thompson, 6300 School St. #222 – spoke in opposition to the City using credit cards.

Chloe Gearhart – 910 65th St. # 70 – public safety committee update; spoke in opposition to raising the speed limit on University until the redesign is complete.

Darren Skeries, 1441 64th St – public safety committee update; supports raising speed limit after redesign is complete; keep ATE until the contract is up for renewal; 63rd St. crossing; thank you for pancake breakfast support.

Lauren Campbell, 1004 63rd St. – spoke in opposition to keeping ATE any longer; supports raising speed limit on University before redesign.

6. Consent Agenda:

- A. Approve Minutes of the Regular Council Meeting on May 6, 2019
- B. Approve Payment of Cash Disbursements
- C. Approve Financial Reports for Month of April 2019
- D. Schedule Public Hearing on Fiscal Year 2018-19 Budget Amendment for June 17, 2019 at 6:00 PM.
- E. Liquor License, Premise Update, Hy-Vee

Motion by Joseph Jones to approve the consent agenda. Seconded by Loffredo. Motion passed unanimously on a roll call vote.

7. Old Business:

- A. Approve Second Reading to Ordinance No. 19-03, Amending Chapter 101.04 of the Code of Ordinances relating to Storm Water Rates:** Motion by Mike Jones to approve the second reading of Ordinance No. 19-03, Amending Chapter 101.04 of the Code of Ordinances. Seconded by Loffredo. Motion passed unanimously on a roll call vote.
- B. Approve Second Reading to Ordinance No. 19-04, Amending Chapter 60.04.04 of the Code of Ordinances relating to Special Speed Zones:** Motion by Mike Jones to approve second reading of Ordinance No. 19-04, Amending Chapter 60.04.04 of the Code of Ordinances. Seconded by Loffredo.

Comments:

Bales-Henry – safety concerns raising the speed limit before the redesign is complete.

Harms – CSA committee recommended raising the speed limit after the redesign; safety concerns; supports waiting on increasing the speed limit until redesign is complete.

Chloe Gearhart – 910 65th St. # 70 – spoke to safety concerns.

Mike Jones – spoke in support of raising the speed limit.

Darren Skeries, 1441 64th St – public safety committee in support of raising the speed limit with redesign.

Joseph Jones – schedule if Mayor Burgess vetoes redesign; stated that if redesign and construction goes as planned speed limit would not be increased until November of 2021 under the public safety committee recommendation. Requested accident data from Chief McCluskey.

Loffredo – redesign and construction schedule; potential trial period for speed limit; not fully in support of the proposed design; supports increasing the speed limit; number of street lights along University adds safety.

Harms – not in favor of a trial period; decisions should not be made on the potential of a design veto; construction will slow traffic.

Mike Jones – three studies show that residents want an increased speed limit on University; supports increasing the speed limit increase because residents want it; business impacts.

Harms – spoke in opposition to the idea that the surveys are conclusive; business impacts.

Loffredo – spoke to how the same set of statistics can be presented to support either side of an issue.

Lauren Campbell, 1004 63rd St. – willing to meet with public safety committee to discuss business statistics; safety concerns and speed.

Mike Jones – pedestrian crossing times.

Darren Skeries, 1441 64th St – public safety committee compared other streetscapes in other communities that University passes through in relation to speed limit discussion.

Roll call vote: Mike Jones – aye, Harms – nay, Loffredo – aye, Joseph Jones – aye, Bales-Henry – nay. Motion passed 3-2.

8. New Business:

A. Approve Purchase of a New City-wide Phone System from TSIowa in the amount of \$12,985:

Motion by Mike Jones to approve the purchase of a new city-wide phone system from TSIowa in the amount of \$12,985. Seconded by Joseph Jones. Motion passed unanimously on a roll call vote.

9. Reports:

Bales-Henry: council decorum needs to improve; Mayor Burgess needs to control side conversations on the dias; limits to public comment. Legal and Mayor to propose a simplified version of the former SOP to address these concerns for council consideration.

Joseph Jones: DSM Partnership DC meeting successful; need to address open forum rules to keep discussion on track and improve decorum.

Loffredo: none.

Mayor Burgess: potential special council meeting upcoming.

Mike Jones: newsletter focus group; clarification of administrator's report on University Grants; levy impacts for borrowing for University if grants are not successful.

Harms: Metro Waste Update; next public safety committee meeting May 30th.

10. Closed Session: Pursuant to Iowa Code Section 21.5 (1)(c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion by Mike Jones to convene into closed session at 7:37 PM. Seconded by Joseph Jones. Roll call vote: Bales-Henry – aye, Joseph Jones – aye, Loffredo – aye, Mike Jones – aye, and Harms – aye. Motion passed 5-0. Motion by Joseph Jones to convene into open session at 7:42 PM. Seconded by Bales-Henry. Roll call vote: Bales-Henry – aye, Joseph Jones – aye, Loffredo – aye, Mike Jones – aye, and Harms – aye. Motion passed 5-0.

11. Adjourn to 6:00 pm on Monday, June 3, 2019, for a Regular Council Meeting at the Council Chambers.

Motion by Harms to adjourn the meeting at 7:43 PM. Seconded by Bales-Henry. Motion passed unanimously on a roll call vote.

David Burgess, Mayor

ATTEST: _____
Travis Cooke, City Clerk

City of Windsor Heights**Claims & Payroll 5/16/2019 to 5/31/2019**

| | | |
|--------------------------------|----------------------------|-----------|
| AFLAC WORLD WIDE HEADQUARTERS | AFLAC ACC-PRETX | 959.24 |
| AKILI DESIGN & MARKETING SERV | June Newsletter | 1,450.76 |
| AMERICAN TRADE MARK CO. | Supplies | 186.65 |
| AMERITAS LIFE INS. CORP. | Insurance | 394.08 |
| AMERICAN TRAFFIC SOLUTIONS | ATE Fees | 36,062.00 |
| AUREON IT | Monthly IT | 450.00 |
| BENEFITS, INC | FLEX Benefits | 2,454.54 |
| BOUND TREE MEDICAL LLC | Medical Supplies | 427.50 |
| CANINE TACTICAL, LLC | K-9 Training and Food | 220.00 |
| CLIVE POWER EQUIP. | Filter | 16.70 |
| DES MOINES ASPHALT & PAVING | Asphalt | 741.51 |
| DORSEY & WHITNEY LLP | Urban Revite/Koester Legal | 7,219.00 |
| ELECTRICAL ENG. & EQ. | Light Fixture CEC | 264.22 |
| FEDERAL TAX DEPOSIT | FED/FICA TAX | 38,034.05 |
| FIRE SERVICE TRAINING BUREAU | Training | 50.00 |
| FLEET SERVICES | April Fuel | 3,834.09 |
| FOREMAN, GERRIT | Fuel | 15.89 |
| GALLS,LLC,-DBA CARPENTERS | Clothing Allowance | 88.00 |
| HY-VEE ACCOUNTS RECEIVABLE | Medical Supplies | 53.99 |
| ICMA RETIREMENT TRUST | Annuity | 2,100.85 |
| IOWA DES MOINES SUPPLY | Cleaning Supplies | 291.00 |
| IOWA FIRE EQUIPMENT | Inspection CEC | 305.50 |
| IOWA ONE CALL | Locates | 73.80 |
| IPERS | IPERS | 39,404.71 |
| KOCH OFFICE GROUP | Supplies | 77.03 |
| LEAF | Copier | 173.00 |
| LINCOLN NATIONAL LIFE | Annuity | 140.45 |
| LOGAN CONTRACTORS SUPPLY | Paint and Glasses | 127.95 |
| LOWE'S | Supplies | 287.94 |
| METRO WASTE AUTHORITY | Garbage Fee/5 Carts | 16,961.62 |
| MIDAMERICAN ENERGY | Power Usage | 58.37 |
| NATIONWIDE RETIREMENT SOLUTION | Annuity | 75.00 |
| O'REILLY AUTO PARTS | Plugs | 16.25 |
| ONNEN COMPANY, INC | Sticker Badges | 230.80 |
| PARKING LOT SPECIALTIES | Crack Seal Project | 20,553.10 |
| PITNEY BOWES GLOBAL FINANCIAL | Postage Meter Lease | 146.55 |
| PORTER LEE CORPORATION | Labels | 155.29 |
| PREMIER AUTOMOTIVE | Auto Repair | 108.72 |
| PURCHASE POWER | Postage | 208.99 |
| QUEEN OF CLEAN, LLC | CEC Cleaning | 1,465.00 |
| RACOM CORPORATION | PD Software | 1,355.41 |
| RED WING SHOE STORE | Shoes | 199.75 |
| RICHMAN BP AND TOWING | Towing | 50.00 |
| SAM'S CLUB DIRECT | Office Supplies | 254.44 |
| STIVERS FORD | Auto Repair | 427.58 |

| | | |
|-----------------------------|-----------------------------|-------------------|
| THE STATION CORNER | Abatement Mowing | 243.75 |
| TREASURER STATE OF IOWA | STATE TAX | 10,238.00 |
| WAL-MART | Clothing Allowance | 23.78 |
| WINDSOR HEIGHTS, CITY OF | HEALTH PRETAX | 4,762.14 |
| ZWC CONDOMINIUM ASSOC | Back Flow Test/Pest Control | 163.38 |
| PAYROLL CHECKS ON 5/17/2019 | | 55,794.11 |
| PAYROLL CHECKS ON 5/31/2019 | | 57,356.79 |
| | Claims Total | 306,753.27 |
| | General Fund | 228,546.32 |
| | Road Use Tax | 45,367.32 |
| | Employee Benefits | 1,337.24 |
| | TIF | 3,219.00 |
| | Urban Renewal Advance | 4,000.00 |
| | Sewer | 2,088.06 |
| | Landfill/Garbage | 18,148.06 |
| | Storm Water | 4,047.27 |
| | | 306,753.27 |

PRUPDT00 Wed May 15, 2019 10:58 AM *** CITY OF WINDSOR HEIGHTS IA *** OPER: TC
 04.05.19 PAID THROUGH 5/10/2019 CHECK REGISTER JRNL 95 PAGE 1
 . CALENDAR 5/2019, FISCAL 11/2019 DATES 5/10/2019 -- 5/17/2019 3 PAY MONTH - MIDDLE PAY

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| 2076 | 5/17/2019 | 100124 | AMANDA A WOODS | 400.00 | | | |
| 2077 | 5/17/2019 | 100124 | AMANDA A WOODS | 25.00 | | | |
| 2078 | 5/17/2019 | 100125 | TAMMY L BREESE | 1396.30 | | | |
| 2079 | 5/17/2019 | 100127 | ROBBY L PEARSON | 2176.19 | | | |
| 2080 | 5/17/2019 | 100141 | DEREK L MEYER | 745.00 | | | |
| 2081 | 5/17/2019 | 100141 | DEREK L MEYER | 600.00 | | | |
| 2082 | 5/17/2019 | 100141 | DEREK L MEYER | 1265.91 | | | |
| 2083 | 5/17/2019 | 100152 | ANDREW S NISSEN | 300.00 | | | |
| 2084 | 5/17/2019 | 100152 | ANDREW S NISSEN | 2128.36 | | | |
| 2085 | 5/17/2019 | 100154 | CHAD E NORRIS | 1970.89 | | | |
| 2086 | 5/17/2019 | 100157 | MATTHEW PALMER | 2043.29 | | | |
| 2087 | 5/17/2019 | 100159 | JOSEPH ROETMAN | 1769.25 | | | |
| 2088 | 5/17/2019 | 100162 | MARK DAVISON | 1820.64 | | | |
| 2089 | 5/17/2019 | 100164 | MICHAEL IRLBECK | 1925.06 | | | |
| 2090 | 5/17/2019 | 100165 | CHRISTOPHER CLINGAN | 1970.03 | | | |
| 2091 | 5/17/2019 | 100166 | RYAN BOWERS | 1752.39 | | | |
| 2092 | 5/17/2019 | 100167 | KYLE JOHNSON | 1716.94 | | | |
| 2093 | 5/17/2019 | 100169 | ERIC CHAD MCCLUSKEY | 2126.77 | | | |
| 2094 | 5/17/2019 | 100168 | LAURA SCHIEBER | 129.08 | | | |
| 2095 | 5/17/2019 | 400279 | MEGAN L WILLETT | 129.08 | | | |
| 2096 | 5/17/2019 | 400235 | JAMES MEASE | 139.88 | | | |
| 2097 | 5/17/2019 | 400241 | KELLY MILLER | 1050.67 | | | |
| 2098 | 5/17/2019 | 400251 | NICHOLAS EVANS | 1112.18 | | | |
| 2099 | 5/17/2019 | 400270 | ROBERT FLEMING | 415.68 | | | |
| 2102 | 5/17/2019 | 400278 | JARED L DUMERMUTH | 700.00 | | | |
| 2103 | 5/17/2019 | 400278 | JARED L DUMERMUTH | 150.00 | | | |
| 2104 | 5/17/2019 | 400278 | JARED L DUMERMUTH | 588.35 | | | |
| 2105 | 5/17/2019 | 400280 | BRIAN A JONES | 1014.39 | | | |
| 2106 | 5/17/2019 | 400128 | TIM R KURTH | 158.97 | | | |
| 2107 | 5/17/2019 | 400211 | DAVID A LANGLEY | 150.66 | | | |
| 2108 | 5/17/2019 | 400221 | TIMOTHY F MAHER | 444.76 | | | |
| 2109 | 5/17/2019 | 400227 | JESSIE M EVANS | 126.00 | | | |
| 2110 | 5/17/2019 | 400229 | GERRIT FOREMAN | 1342.27 | | | |
| 2111 | 5/17/2019 | 400238 | SEAN LUNDE | 388.20 | | | |
| 2112 | 5/17/2019 | 400242 | SPENCER JOHNSON | 369.19 | | | |
| 2113 | 5/17/2019 | 400253 | BRETT MERSEAL | 128.30 | | | |
| 2114 | 5/17/2019 | 400255 | JEREMY DIETCH | 253.03 | | | |
| 2115 | 5/17/2019 | 400258 | CHRISTIAN SETTLES | 125.80 | | | |
| 2116 | 5/17/2019 | 400277 | BRYAN A KOSTER | 167.97 | | | |
| 2117 | 5/17/2019 | 100537 | SHEILAH LIZER | 1717.07 | | | |
| 2118 | 5/17/2019 | 100171 | DANIEL MORGAN | 869.61 | | | |
| 2119 | 5/17/2019 | 100173 | AUSTIN J KING | 832.03 | | | |
| 2120 | 5/17/2019 | 100183 | PHILIP R NATIONS | 97.68 | | | |
| 2121 | 5/17/2019 | 100183 | PHILIP R NATIONS | 879.15 | | | |
| 2122 | 5/17/2019 | 100195 | CRAIG C STOECKER | 10.00 | | | |
| 2123 | 5/17/2019 | 100195 | CRAIG C STOECKER | 1274.00 | | | |
| 2124 | 5/17/2019 | 100196 | WILLIAM R GOODRICH | 1480.12 | | | |
| 2125 | 5/17/2019 | 100196 | WILLIAM R GOODRICH | 1646.73 | | | |
| 2126 | 5/17/2019 | 100534 | SARAH BOOTS | 563.74 | | | |
| 2127 | 5/17/2019 | 100519 | DAVID J BURGESS | 600.27 | | | |
| 2128 | 5/17/2019 | 100536 | ELIZABETH HANSEN | 200.00 | | | |
| 2129 | 5/17/2019 | 100536 | ELIZABETH HANSEN | 500.00 | | | |

PRUPD00
04.05.19

Wed May 15, 2019 10:58 AM

PAID THROUGH 5/10/2019

CALENDAR 5/2019, FISCAL 11/2019 DATES

*** CITY OF WINDSOR HEIGHTS IA ***

CHECK REGISTER

OPER: TC

JRNL 95

3 PAY MONTH - MIDDLE PAY

PAGE 2

| CHECK NO | DATE | EMP NO | PAY TO THE ORDER OF | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
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| 2132 | 5/17/2019 | 100543 | TRAVIS A COOKE | 1875.94 | | | |
| 2133 | 5/17/2019 | 100226 | DALTON JACOBUS | 1473.51 | | | |
| 2134 | 5/17/2019 | 100527 | JESSICA VOGEL | 1270.97 | | | |
| 2135 | 5/17/2019 | 100533 | MICHELE DENKINGER | 1350.88 | | | |
| | | | BANK TOTAL | 55728.08 | | | |
| | | | REPORT TOTAL | 55728.08 | | | |

PRUPD00 Wed May 29, 2019 11:39 AM *** CITY OF WINDSOR HEIGHTS IA *** OPER: TC
 05.03.19 PAID THROUGH 5/24/2019 CHECK REGISTER JRN1 106
 CALENDAR 5/2019, FISCAL 11/2019 DATES 5/24/2019 -- 5/31/2019 3 PAY MONTH - LAST PAY

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| 2137 | 5/31/2019 | 100124 | AMANDA A WOODS | 400.00 | | | |
| 2138 | 5/31/2019 | 100124 | AMANDA A WOODS | 25.00 | | | |
| 2139 | 5/31/2019 | 100125 | TAMMY L BREESE | 1455.45 | | | |
| 2140 | 5/31/2019 | 100127 | ROBBY L PEARSON | 2252.76 | | | |
| 2141 | 5/31/2019 | 100141 | DEREK L MEYER | 745.00 | | | |
| 2142 | 5/31/2019 | 100141 | DEREK L MEYER | 600.00 | | | |
| 2143 | 5/31/2019 | 100141 | DEREK L MEYER | 1352.70 | | | |
| 2144 | 5/31/2019 | 100152 | ANDREW S NISSEN | 300.00 | | | |
| 2145 | 5/31/2019 | 100152 | ANDREW S NISSEN | 2002.96 | | | |
| 2146 | 5/31/2019 | 100154 | CHAD E NORRIS | 1966.40 | | | |
| 2147 | 5/31/2019 | 100157 | MATTHEW PALMER | 2026.80 | | | |
| 2148 | 5/31/2019 | 100159 | JOSEPH ROETMAN | 1909.26 | | | |
| 2149 | 5/31/2019 | 100162 | MARK DAVISON | 2027.99 | | | |
| 2150 | 5/31/2019 | 100164 | MICHAEL IRLBECK | 1947.00 | | | |
| 2151 | 5/31/2019 | 100165 | CHRISTOPHER CLINGAN | 1960.24 | | | |
| 2152 | 5/31/2019 | 100166 | RYAN BOWERS | 1722.52 | | | |
| 2153 | 5/31/2019 | 100167 | KYLE JOHNSON | 2010.41 | | | |
| 2154 | 5/31/2019 | 100169 | ERIC CHAD MCCLUSKEY | 2210.72 | | | |
| 2155 | 5/31/2019 | 100168 | LAURA SCHIEBER | 103.27 | | | |
| 2156 | 5/31/2019 | 400279 | MEGAN L WILLETT | 153.91 | | | |
| 2157 | 5/31/2019 | 400235 | JAMES MEASE | 520.77 | | | |
| 2158 | 5/31/2019 | 400241 | KELLY MILLER | 1096.44 | | | |
| 2159 | 5/31/2019 | 400251 | NICHOLAS EVANS | 1144.91 | | | |
| 2160 | 5/31/2019 | 400270 | ROBERT FLEMING | 584.98 | | | |
| 2161 | 5/31/2019 | 400278 | JARED L DUMERMUTH | 700.00 | | | |
| 2162 | 5/31/2019 | 400278 | JARED L DUMERMUTH | 150.00 | | | |
| 2163 | 5/31/2019 | 400278 | JARED L DUMERMUTH | 652.02 | | | |
| 2164 | 5/31/2019 | 400280 | BRIAN A JONES | 1072.95 | | | |
| 2165 | 5/31/2019 | 400128 | TIM R KURTH | 484.90 | | | |
| 2166 | 5/31/2019 | 400211 | DAVID A LANGLEY | 169.10 | | | |
| 2167 | 5/31/2019 | 400227 | JESSIE M EVANS | 258.01 | | | |
| 2168 | 5/31/2019 | 400229 | GERRIT FOREMAN | 1342.27 | | | |
| 2169 | 5/31/2019 | 400238 | SEAN LUNDE | 164.53 | | | |
| 2170 | 5/31/2019 | 400242 | SPENCER JOHNSON | 135.80 | | | |
| 2171 | 5/31/2019 | 400253 | BRETT MERSEAL | 128.30 | | | |
| 2172 | 5/31/2019 | 400255 | JEREMY DIETCH | 377.25 | | | |
| 2173 | 5/31/2019 | 400258 | CHRISTIAN SETTLES | 125.80 | | | |
| 2174 | 5/31/2019 | 400272 | TANNER TOWNES | 876.29 | | | |
| 2175 | 5/31/2019 | 100537 | SHEILAH LIZER | 1804.85 | | | |
| 2176 | 5/31/2019 | 100171 | DANIEL MORGAN | 1055.57 | | | |
| 2177 | 5/31/2019 | 100173 | AUSTIN J KING | 979.22 | | | |
| 2178 | 5/31/2019 | 100183 | PHILIP R NATIONS | 101.59 | | | |
| 2179 | 5/31/2019 | 100183 | PHILIP R NATIONS | 914.27 | | | |
| 2180 | 5/31/2019 | 100195 | CRAIG C STOECKER | 10.00 | | | |
| 2181 | 5/31/2019 | 100195 | CRAIG C STOECKER | 1414.23 | | | |
| 2182 | 5/31/2019 | 100196 | WILLIAM R GOODRICH | 1609.74 | | | |
| 2183 | 5/31/2019 | 100536 | ELIZABETH HANSEN | 200.00 | | | |
| 2184 | 5/31/2019 | 100536 | ELIZABETH HANSEN | 500.00 | | | |
| 2185 | 5/31/2019 | 100536 | ELIZABETH HANSEN | 250.00 | | | |
| 2186 | 5/31/2019 | 100536 | ELIZABETH HANSEN | 1923.06 | | | |
| 2187 | 5/31/2019 | 100543 | TRAVIS A COOKE | 1901.46 | | | |
| 2188 | 5/31/2019 | 100543 | TRAVIS A COOKE | 1091.40 | | | |

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PAID THROUGH 5/24/2019
CALENDAR 5/2019, FISCAL 11/2019 DATES

*** CITY OF WINDSOR HEIGHTS IA ***
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5/24/2019 -- 5/31/2019

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JRNL 106
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| 2189 | 5/31/2019 | 100534 | SARAH BOOTS | 637.20 | | | |
| 2190 | 5/31/2019 | 100226 | DALTON JACOBUS | 1561.31 | | | |
| 2191 | 5/31/2019 | 100527 | JESSICA VOGEL | 1360.77 | | | |
| 2192 | 5/31/2019 | 100533 | MICHELE DENKINGER | 1441.75 | | | |
| | | | BANK TOTAL | 57356.79 | | | |
| | | | REPORT TOTAL | 57356.79 | | | |

Applicant License Application (LE0001906)

Name of Applicant: QuikTrip CorporationName of Business (DBA): QuikTrip # 503Address of Premises: 7220 Hickman RdCity Windsor HeightsCounty: PolkZip: 50324Business (515) 331-8936Mailing PO Box 3475 Attn: LicensingCity TulsaState OKZip: 741013475

Contact Person

Name Tara EllisonPhone: (918) 615-7653

Email

dist-TaxAccounting@quiktrip.comClassification Class E Liquor License (LE)Term: 12 monthsEffective Date: 07/01/2019Expiration Date: 06/30/2020

Privileges:

Class B Wine PermitClass C Beer Permit (Carryout Beer)Class E Liquor License (LE)Sunday Sales

Status of Business

Business Type: Privately Held CorporationCorporate ID Number: XXXXXXXXXX Federal Employer ID XXXXXXXXXX

Ownership

Chester Cadieux III

First Name: ChesterLast Name: Cadieux IIICity: TulsaState: OklahomaZip: 74134Position: President% of Ownership: 7.44%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: Travelers Casualty & Surety Company of AmericaPolicy Effective Date: 07/01/2019Policy Expiration 01/01/1900Bond Effective 2

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

Applicant

License Application ()

Name of Applicant: The Wine Wagen, LLC

Name of Business (DBA): The Wine Wagen

Address of Premises: 6900 School Street

City Windsor Heights

County: Polk

Zip: 50324

Business (515) 250-6695

Mailing 6410 Sunset Terrace

City Windsor Heights

State IA

Zip: 50324

Contact Person

Name Darren Fife

Phone: (515) 250-6695

Email

darren@ecosourceiowa.com

Classification Special Class C Liquor License (BW) (Beer/Wine)

Term: 6 months

Effective Date: 06/24/2019

Expiration Date: 01/01/1900

Privileges:

Outdoor Service

Special Class C Liquor License (BW) (Beer/Wine)

Status of Business

Business Type: Limited Liability Company

Corporate ID Number: XXXXXXXXXX **Federal Employer ID** XXXXXXXXXX

Ownership

Darren Fife

First Name: Darren

Last Name: Fife

City: Windsor Heights

State: Iowa

Zip: 50324

Position: Owner

% of Ownership: 50.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: Illinois Union Insurance Company

Policy Effective Date: 06/24/2019

Policy Expiration 12/24/2019

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

CHAPTER 101

STORM WATER DRAINAGE UTILITY

101.01 Purpose

101.02 Storm Water Drainage Utility Established

101.03 Rate Categories

101.04 Rates

101.05 Use of Fund

101.06 Governing Board

101.07 Storm Water Site Plan Review Required

101.01 PURPOSE. The purpose of this chapter is to establish a Storm Water Drainage Utility and provide a means of funding the construction, operation, and maintenance of storm water management facilities, including (but not limited to) detention and retention basins, storm water sewers, inlets, ditches and drains, and cleaning of streets. The Council finds that the construction, operation, and maintenance of the City's storm and surface water drainage system should be funded through charging users of property which may connect or discharge directly, or indirectly, into the storm and surface water drainage system or properties receiving the indirect benefit of drainage diverted into the City's system.

101.02 STORM WATER DRAINAGE UTILITY ESTABLISHED. It is found and determined to be necessary and conducive to the protection of the public health, safety, welfare, and convenience that a storm water drainage utility is created for all of the City of Windsor Heights, Iowa, and for the purpose authorized by Section 384.84(1) *Code of Iowa*; that is, to establish and collect rates for a storm water drainage system.

101.03 RATE CATEGORIES. The billing rates are divided into categories, as follows:

1. Residential: Parcels as defined by the County Assessor data base; Use Class R and Use Class F parcels.
2. Commercial: Non-residential
3. *(Ord. 18-11 – Jun. 18 Supp.)*

101.04 RATES. The billing rates for the categories as defined in Section 101.03 are as follows:

| Category | Monthly Rate |
|-----------------|----------------------------------|
| Residential | \$5.50 per unit per month |
| Non-Residential | \$5.50 per unit per month |

(Ord. 18-11 – Jun. 18 Supp.)

101.05 USE OF FUND. The money paid and collected pursuant to this chapter shall be held by the City in a special fund to be expended only for the purpose of constructing, operating, managing, repairing, and maintaining all kinds of conduits, drains, storm water detention devices, flow impediments, ponds, ditches, sloughs, filter strips, rip-raps, erosion control devices, and any other things and activities useful to the proper control management, collection, drainage, and disposition of storm water in the City.

101.06 GOVERNING BOARD. The governing board of the Storm Water Drainage Utility is the City Council. The Storm Water Drainage Utility shall be under the direction, management, and control of the City Administrator, who functions as its director. In that capacity, the City Administrator shall supervise the day-to-day operation of the Storm Water Drainage Utility, shall enforce this chapter and the provisions of all ordinances and regulations adopted pursuant to this chapter and shall carry out the policy directives of the Council acting in its role as governing body of the Storm Water Drainage Utility.

101.07 STORM WATER SITE PLAN REVIEW REQUIRED. A storm water site plan review shall be required for projects in order to ensure that the goals of the City's storm water program are met. Storm water site plan requirements and associated fees are adopted by resolution and available for review from the City Clerk or the City Building Inspector.

[The next page is 601]

Ordinance No. 19-03

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA, BY AMENDING SECTIONS OF CHAPTER 101: STORMWATER DRAINAGE UTILITY.

BE IT ENACTED by the City Council of the City of Windsor Heights, Polk County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to amend certain sections of Chapter 101 of the Municipal Code, to update commercial stormwater categories to provide services and infrastructure to protect the health, safety and welfare of the residents of the City of Windsor Heights.

SECTION 2. Amended. Chapter 101.04, of the Municipal Code, is amended to read as follows.

101.04 RATES. The billing rates for the categories as defined in Section 101.03 are as follows:

| Category | Monthly Rate |
|-----------------|---------------------------|
| Residential | \$5.50 per unit per month |
| Non-Residential | \$5.50 per unit per month |

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of this ordinance as a whole, or any section, provision or part thereof not adjudged unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be effective from and after its final passage, approval and publication as provided by law.

Passed by the City Council this day of _____, 2019 and approved this _____ day of _____, 2019.

Dave Burgess, Mayor

ATTEST:

Travis Cooke, City Clerk

CHAPTER 60 – TRAFFIC AND VEHICLES

SUBCHAPTER 60.04

SPEED REGULATIONS

60.04.01 General
60.04.02 State Code Speed Limits
60.04.03 Parks and Parking Lots

60.04.04 Special Speed Zones
60.04.05 Minimum Speed
60.04.06 Use of Automated Enforcement

60.04.01 GENERAL. Every driver of a motor vehicle on a street shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the street and of any other conditions then existing, and no person shall drive a vehicle on any street at a speed greater than will permit said driver to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said street will observe the law.

(Code of Iowa, Sec. 321.285)

60.04.02 STATE CODE SPEED LIMITS. The following speed limits are established in Section 321.285 of the *Code of Iowa* and any speed in excess thereof is unlawful unless specifically designated otherwise in this subchapter as a special speed zone.

1. **Business District** – twenty (20) miles per hour.
2. **Residence or School District** – twenty-five (25) miles per hour.
3. **Suburban District** – forty-five (45) miles per hour.

60.04.03 PARKS AND PARKING LOTS. A speed in excess of fifteen (15) miles per hour in any public park or parking lot, unless specifically designated otherwise in this subchapter, is unlawful.

(Code of Iowa, Sec. 321.236[5])

60.04.04 SPECIAL SPEED ZONES. In accordance with requirements of the Iowa Department of Transportation, or whenever the Council shall determine upon the basis of an engineering and traffic investigation that any speed limit listed in Section 60.04.02 is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the City street system, the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe at such location. The following special speed zones have been established:

(Code of Iowa, Sec. 321.290)

1. ~~Special 25 MPH Speed Zones.~~ ~~A speed in excess of 25 miles per hour is unlawful on any of the following designated streets or parts thereof.~~

A. ~~University Avenue.~~ ~~University Avenue, from the east corporate limits to the west corporate limits.~~

2.1. ~~Special 30 MPH Speed Zones.~~ ~~A speed in excess of 30 miles per hour is unlawful on any of the following designated streets or parts thereof.~~

A. ~~63rd Street.~~ ~~63rd Street, from the south line of Hickman Avenue to the south line of University Avenue.~~

B. University Avenue. University Avenue, from the east corporate limits to the west corporate limits.

3.2. Special 35-MPH Speed Zones. A speed in excess of 35 miles per hour is unlawful on any of the following designated streets or parts thereof.

- A. 73rd Street. 73rd Street, from the south corporate limits to the south line of University Avenue;
- B. 63rd Street. 63rd Street, from the south line of University Avenue to the south corporate limits.

4.3. Interstate 235. Notwithstanding any speed restrictions contained in this Traffic Code, the following speed restrictions apply to Interstate Highway 235 when official signs are erected giving notice thereof:

- A. Maximum Speed. No person shall operate a vehicle on said highway at a speed in excess of 60 miles per hour.
- B. Minimum Speed. No person shall operate a vehicle on said highway at a speed less than 40 miles per hour.
- C. Vehicle Capability. No person shall operate any vehicle, implement, or conveyance on said highway which is incapable of obtaining and maintaining a speed of 40 miles per hour.

60.04.05 MINIMUM SPEED. A person shall not drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law.

(Code of Iowa, Sec. 321.294)

60.04.06 USE OF AUTOMATED ENFORCEMENT. Automated traffic enforcement technologies may be utilized to enforce speed regulations in this subchapter by civil fine pursuant to ATE regulations set forth in Section 60.02.07.

[The next page is 465]

Ordinance No.19-04

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY
OF WINDSOR HEIGHTS, IOWA, BY AMENDING CHAPTER 60
TRAFFIC AND VEHICLES**

WHEREAS, the City of Windsor Heights seeks to promote nondiscriminatory enforcement within its city limits; and

WHEREAS, the City Council finds that a high standard for the enforcement; and its intent to establish standards for the speed limit within the City limits; and

WHEREAS, on May 6, 2019, following proper notice and publication of the proposed changes, the City Council held a public hearing on the proposed changes to Chapter 60; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the revisions to Chapter 60 ordinance are necessary and will promote nondiscriminatory enforcement within its city limits.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
WINDSOR HEIGHTS, POLK COUNTY, IOWA:**

SECTION 1. Purpose. The purpose of this ordinance is to amend and recreate Chapter 60 of the Windsor Heights Code of Ordinances to enhance the effectiveness of enforcement for City of Windsor Heights.

SECTION 2. Amended. Chapter 60 of the Windsor Heights Code of Ordinances, Section 60.04.04 Special Speed Zones, is amended as reflected in the attached Exhibit A.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this _____ day of _____, 2019.

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Publish Date: _____

Dave Burgess, Mayor

(SEAL)

ATTEST:

Travis Cooke, City Clerk

CHAPTER 161

POST-CONSTRUCTION STORM WATER CONTROL

| | |
|---|---|
| 161.01 Findings of Fact | 161.09 Approval of Storm Water Management Concept Plan |
| 161.02 Purpose | 161.10 Approval of Storm Water Management Final Plan |
| 161.03 Applicability | 161.11 Performance Security or Bond |
| 161.04 Compatibility with Other Requirements | 161.12 Maintenance Performance Security or Bond |
| 161.05 Definitions | 161.13 Construction Inspection |
| 161.06 Permit Procedures and Requirements | 161.14 Maintenance and Repair of Storm Water BMPs |
| 161.07 Waivers | 161.15 Enforcement and Penalties |
| 161.08 Storm Water Standards | 161.16 Appeal |

161.01 FINDINGS OF FACT.

1. The U.S. EPA's National Pollutant Discharge Elimination System ("NPDES") permit program ("Program") administered by the Iowa Department of Natural Resources ("IDNR") requires that cities meeting certain demographic and environmental impact criteria obtain from the IDNR an NPDES permit for the discharge of storm water from a Municipal Separate Storm Sewer System ("MS4") ("MS4 Permit"). The City of Windsor Heights is subject to the Program and is required to obtain, and has obtained, an MS4 Permit; the City's MS4 Permit is on file at the office of the City Clerk and is available for public inspection during regular office hours.

2. As a condition of the City's MS4 Permit, the City is obliged to develop, implement and adopt and enforce a POST-CONSTRUCTION STORM WATER CONTROL ordinance.

3. No State or federal funds have been made available to assist the City in administering and enforcing the Program. Accordingly, the City shall fund its operations under this chapter entirely by charges imposed on the owners or developers of properties which are made subject to the Program by virtue of State and federal law, and/or other sources of funding established by a separate ordinance.

4. Land development and associated increases in impervious cover alter the hydrologic response of local watersheds and increase storm water runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition if left uncontrolled; this uncontrolled storm water runoff contributes to increased quantities of water-borne pollutants; and storm water runoff, soil erosion, and non-point source pollution can be controlled and minimized through the regulation of storm water runoff from development sites.

5. Therefore, City establishes this set of City storm water requirements applicable to all surface waters to provide reasonable guidance for the regulation of storm water runoff for the purpose of protecting local water resources from degradation. It is determined that the regulation of storm water runoff discharges from land development and other construction activities in order to control and minimize increases in storm water runoff rates and volumes, soil erosion, stream channel erosion, and non-point source pollution associated with storm water runoff is in the public interest and will prevent threats to public health and safety.

6. The *Iowa Storm Water Management Manual* published collaboratively by the Iowa Department of Natural Resources and The Center for Transportation Research and Education at Iowa State University maintained by the Iowa Storm Water Education Program establishes guidelines consisting of unified sizing criteria (water quality volume, channel protection storage volume, overbank flood protection, extreme flood protection), storm water management designs and specifications and best management practices (BMPs). The City hereby finds and declares

that the guidelines provided for in the *Iowa Storm Water Management Manual*, ~~and in~~ future editions thereof, ~~should be and~~ along with any locally adopted modifications, are hereby adopted as the storm water management standards of the City. Any BMP installation that complies with the provisions of the *Iowa Storm Water Management Manual*, or future editions thereof, at the time of installation shall be deemed to have been installed in accordance with this chapter.

161.02 PURPOSE. The purpose of this chapter is to adopt as the City's standards and sizing criteria and BMPs to address said standards the Guidelines, Sizing Criteria, and BMPs proposed by the *Iowa Storm Water Management Manual* and as specifically identified above (hereinafter collectively "City storm water requirements") in order to protect and safeguard the general health, safety, and welfare of the public within this jurisdiction. This chapter seeks to meet that purpose through the following objectives:

1. Minimize increases in storm water runoff from development within the City limits and fringe area in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion and maintain the integrity of stream channels;
2. Minimize increases in non-point source pollution caused by storm water runoff from development which would otherwise degrade local water quality;
3. Minimize the total annual volume of surface water runoff which flows from any specific development project site after completion to not exceed the pre-development hydrologic regime to the maximum extent practicable; and
4. Reduce storm water runoff rates and volumes, soil erosion, and non-point source pollution, wherever possible, through establishment of appropriate minimum storm water management standards and BMPs and to ensure that BMPs are properly maintained and pose no threat to public safety.

161.03 APPLICABILITY.

1. This chapter is applicable to all subdivision or site plan applications meeting the minimum square foot applicability criteria of subsection 2 of this section, unless eligible for an exemption or granted a waiver by the City under Section 161.07 of this chapter. This chapter also applies to land disturbance activities that are smaller than the minimum square foot applicability criteria specified in subsection 2 if such activities are part of a larger common plan of development that meets the minimum square foot applicability criteria specified in subsection 2, even though multiple separate and distinct land development activities may take place at different times on different schedules. In addition, all plans must also be reviewed by *an engineer hired by the City local environmental protection officials* to ensure that established water quality standards will be maintained during and after development of the site and that post-construction runoff levels are consistent with any local and regional watershed plans. *The following activities are exempt from this chapter:*

- A. *Any logging and agricultural activity which is consistent with an approved soil conservation plan or a timber management plan prepared or approved by the appropriate agency, as applicable.*
- B. *Additions or modifications to existing single-family structures*
- C. *Repairs to any storm water BMPs deemed necessary by the City.*
4. *Reconstruction or rehabilitation to existing City streets.*

2. City storm water requirements must be met for development *or redevelopment* to be approved. *Final authorization of all development and redevelopment projects shall be*

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determined after a review by the City. City storm water requirements apply to any development and redevelopment meeting at least one of the following:

- A. Land disturbing activity exceeding 43,560 square feet in area; or
- B. Land disturbing activity creating or recreating 10,000 square feet in area or more of impervious cover, regardless of existing conditions; or disturbing one acre or more of land, and to any development disturbing less than one acre if the amount of impervious cover created exceeds 5,000 square feet. The following activities are exempt from this chapter:
- C. Land disturbing activities that are smaller than the minimum square feet applicability criteria set forth in this chapter, if such activities are part of a larger common plan of development that may or may not take place at the same time; or
- D. Land disturbing activity exceeding 25,000 square feet in area where the existing land is being redeveloped.
 - A. Any logging and agricultural activity which is consistent with an approved soil conservation plan or a timber management plan prepared or approved by the appropriate agency, as applicable.
 - B. Additions or modifications to existing single family structures.
 - C. Developments that do not disturb more than one acre of land provided they are not part of a larger common development plan.
 - D. Repairs to any storm water BMPs deemed necessary by City.

3. When a site development plan is submitted that qualifies as a development, as defined in this chapter, decisions on permitting any appropriate on-site BMPs shall be guided by the SUDAS Design Manual. Final authorization of all development and redevelopment projects will be determined after a review by City.

161.04 COMPATIBILITY WITH OTHER REQUIREMENTS.

1. It is intended that this chapter be construed to be consistent with Chapter 160, Construction Site Erosion and Sediment Control, and Chapter 102, Illicit Discharge to Storm Sewer System, of this Code of Ordinances.
2. The requirements of this chapter should be considered minimum requirements, and where any provision of this chapter imposes restrictions different from those imposed by any other chapter, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

161.05 DEFINITIONS. Terms in this chapter, other than those defined below, shall have the meanings set out in the *Iowa Storm Water Management Manual*.

1. “**Applicant**” means a property owner or agent of a property owner who has filed an application for a storm water management permit.
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2. “**Best Management Practice (BMP)**” means a practice or series of practices used to manage storm water and as further defined in the *Iowa Storm Water Management Manual*.
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3. “**Building**” means any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.
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2.4. “Channel Protection Storage Volume” means providing for practices that will allow for extended detention of the runoff generated by a 1-year, 24-hour event. This means capturing the runoff volume from a storm of this nature, and slowly releasing it over a period of no less than 24-hours to reduce rapid “bounce” effect common in many urban streams that leads to downcutting and streambank erosion.

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5. “City storm water requirements” means the standards, sizing criteria, BMPs and other requirements established in this chapter or “standard” means the guidelines provided for in this ordinance and the Iowa Storm Water Management Manual.

6. “Concept Plan” shall be submitted for review during the planning process. This plan should be considered to be a 30% development plan showing conceptually where stormwater practices will be located and how the storm water will be routed to the facilities. This submittal shall include all of the information required stated in this chapter.

7. “COESCO” means Construction Site Erosion and Sediment Control Ordinance permit issued by the City of Windsor Heights’ Public Works Department.

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4.8. “Dedication” means the deliberate appropriation of property by its owner for general public use.

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5.9. “Developer” means a person who undertakes land disturbance activities.

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6.10. “Development” means either:

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A. Land disturbance activity exceeding 43,560 square feet on land previously vacant of buildings or largely free of previous land disturbance activity other than traditional agricultural activities; or

B. Land disturbance activity exceeding 43,560 square feet in areas where existing land use is high density commercial, industrial, institutional or multi-family residential (a.k.a. “redevelopment”).

7.11. “Drainage easement” means a legal right granted by a landowner to a cable operator allowing the use of private land for storm water management purposes.

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12. “Enforcement officer” means that person designated by the City having responsibility for administration and enforcement of this chapter.

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13. “Existing Conditions” means the circumstances of the site at the time of first review of site plans or upon initial submittal of permit applications.

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8.14. “Extreme Flood Protection” means managing the effects of larger storm events (10-year to 100-year recurrence intervals) on the storm water management system, adjacent property, and downstream facilities and property. The management of these extreme events is accomplished using detention controls and/or floodplain management.

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15. “Fee in lieu” means a payment of money in place of achieving or exceeding all or part of City storm water requirements.

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9.16. “Impervious Surface” means surfaces (roads, sidewalks, driveways and parking lots) that are covered by impenetrable materials such as asphalt, concrete, brick, and stone, rooftops as well as soils compacted by urban development.

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10.17. Iowa Storm Water Management Manual means the current Iowa Storm Water Management Manual publication, by whatever name, as amended from time to time by Iowa Department of Natural Resources in collaboration with the Center for Transportation Research at Iowa State University, and which recommends storm water management guidelines and uniform sizing criteria and BMPs designed to address said guidelines.

18. **“Land disturbance activity”** means any activity which changes the volume or peak flow discharge rate of rainfall runoff from the land surface. This may include the grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

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14-19. **“Low Impact Development”** means an approach to storm water management that attempts to mimic pre-development conditions by compensating for losses of rainfall abstraction through infiltration, evapotranspiration, surface storage, and increased travel time to reduce excess runoff.

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14-20. **“Landowner”** means the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

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21. **“Maintenance agreement”** means a legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of storm water BMPs.

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22. **“Overbank Flood Protection”** means providing on-site storm water detention to limit runoff peak flows rates from the 5-year recurrence interval storm event to prevent downstream surcharge of conveyance systems and reduce overbank flooding. At the site development level, this can be accomplished by providing detention practices with multi-stage outlets that control the outflow from these events to pre-settlement conditions (meadow in good condition).

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23. **“Pre-settlement”** means the nature of the site prior to human development when the landscape was dominated by naturally occurring features. Intended for storm water calculations, meadow in good condition.

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44-24. **“Storm water management”** means the use of BMPs that are designed in accordance with City storm water requirements to reduce storm water runoff pollutant loads, discharge volumes, peak flow discharge rates, and detrimental changes in stream temperature that affect water quality and habitat.

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25. **“Storm Water Pollution Prevention Plan”** (SWPPP) means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

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26. **“Unified Sizing Criteria”** means an integrated approach to managing storm water runoff quality and quantity by addressing the adverse impacts of stormwater runoff from development. The intent is to comprehensively manage stormwater to remove pollutants and improve water quality, prevent downstream streambank and channel erosion, reduce downstream overbank flooding and safely convey and reduce runoff from extreme storm events.

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45-27. **“Water Quality Volume”** means the runoff resulting from rainfall depth of 1.25”. By managing these storms, many of the “first flush” pollutants of concern will be effectively managed on-site.

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161.06 PERMIT PROCEDURES AND REQUIREMENTS.

1. Permit Required. No landowner or developer shall receive any of the building, grading, or other land development permits required for land disturbance activities without first meeting the requirements of this chapter prior to commencing the proposed activity.

2. Application Requirements.

A. Unless specifically exempted by this chapter, any landowner or developer desiring a permit for a land disturbance activity shall submit to the City a permit application on a form provided for that purpose.

B. Unless otherwise exempted by this chapter, a permit application must be accompanied by the following in order that the permit application be considered:

- (1) A storm water management concept plan;
- (2) A maintenance agreement; and
- (3) A non-refundable permit review fee.

C. The storm water management concept plan and maintenance agreement shall be prepared to meet the requirements of this chapter, and fees shall be those established by the City annually or more often by separate ordinance or resolution.

3. Application Review Fees. The fee for review of any land development application shall be based on the amount of land to be disturbed at the site; the fee structure shall be established by City, and said fees shall be paid prior to the issuance of any applicable City permits. All such revenue shall be credited to a City budgetary category to support the administration of this chapter.

4. Application Procedure.

A. The applicant shall request a pre-application meeting which will be facilitated by the City between the applicant, City staff, and staff of partner agencies as applicable. The meeting shall be mandatory prior to submission of a permit application. The purposes of the meeting are to understand the general parameters of the proposed project and to convey the requirements of meeting the provisions of this chapter and other applicable ordinances.

B. Applications for land disturbance activity permits must be filed for review with the office of the City Clerk on any regular business day.

C. Permit applications shall include the following:

- (1) Two copies of the storm water management concept plan;
- (2) Two copies of the maintenance agreement, and
- (3) Any required review fees.

D. The City shall make a determination regarding the completeness of a permit application within ten (10) business days of the receipt of the application and notify the applicant in writing if the application is not complete including the reasons the application was deemed incomplete.

E. Within 15 business days of the receipt of a complete permit application, including all documents as required by this chapter, City shall inform the applicant whether the application, plan, and maintenance agreement are approved or disapproved by the enforcement officer.

F. If the permit application, storm water management concept plan, or maintenance agreement are disapproved, the applicant may revise the storm water management concept plan or agreement. If additional information is submitted, the City shall have 15 business days from the date the additional information is received to inform the applicant that the storm water management concept plan and maintenance agreement are either approved or disapproved.

G. If the permit application, storm water management final plan, and maintenance agreement are approved by City, all appropriate land disturbance activity permits shall be issued.

5. Permit Duration. Permits issued under this section shall be valid from the date of issuance through the date City notifies the permit holder that all storm water BMPs have passed the final inspection required under permit conditions.

161.07 WAIVERS. Every applicant shall provide for storm water management as required by this chapter, unless a written request is filed to waive implementation of BMPs, in whole or in part, and such waiver is granted. Requests to waive implementation of BMPs in whole or in part shall be submitted to City for approval.

1. Partial Waivers.—A partial waiver of BMPs required by this chapter may be granted provided that at least one of the following conditions is established by applicant based on authoritative written evidence satisfactory to City:

A. The proposed development is not likely to impair attainment of the objectives of this chapter.

B. Alternative minimum requirements for on-site management of storm water have been established in a storm water management final plan that has been approved by City and fully implemented.

C. Provisions are made to manage storm water by an off-site facility within the same watershed and that has been approved by the City. The off-site facility is required to be in place, to be designed and adequately sized to provide a level of storm water control that is equal to or greater than that which would be afforded by on-site practices, and there is, in the City's sole judgment, a responsible entity legally obligated to monitor the performance of and maintain the efficiency of storm water BMPs in accordance with a written and recorded maintenance agreement.

D. In instances where one of the above conditions is established, the applicant must further establish by authoritative written evidence satisfactory to City that the partial waiver will not result in any of the following impacts to downstream waterways:

- (1) Deterioration of existing culverts, bridges, dams, and other structures; or
- (2) Degradation of biological functions or habitat; or
- (3) Accelerated stream bank or streambed erosion or siltation; or
- (4) Increased threat of flood damage to public health, life, property.

2. General Waivers.—If the City finds that a general waiver is appropriate because implementation of no on-site storm water BMPs is feasible due to the natural or existing physical characteristics of a site, or that one of the conditions specified in subsection 1 above cannot be established to a certainty, or that any one or more of the impacts to downstream waterways specified above cannot be entirely averted, the applicant shall execute a binding written agreement to accomplish one or more of the following mitigation measures selected by City:

A. The purchase and donation of privately owned lands, or the grant of an easement to be dedicated for preservation and/or reconstruction of native ecosystems of lands strategically located in the watershed consistent with the purposes of this chapter, of a sufficient quantity to enable City or others to achieve City storm water requirements with respect to a number of cubic feet of annual storm water equivalent to the estimated number of cubic feet of annual storm water that will not achieve City storm water requirements as a consequence of the waiver.

B. The creation of one or more storm water BMPs on previously developed properties, public or private, that currently lack storm water BMPs, having a capacity to

achieve City storm water requirements with respect to a number of cubic feet of annual storm water equivalent to the estimated number of cubic feet of annual storm water that will not achieve City storm water requirements as a consequence of the waiver.

C. Monetary contributions (fee in lieu) to fund storm water management activities such as research and studies (e.g., regional wetland delineation studies, stream monitoring studies for water quality and macroinvertebrates, stream flow monitoring, threatened and endangered species studies, hydrologic studies, monitoring of storm water BMPs, and stream corridor stabilization practices). The monetary contribution required shall be in accordance with a fee schedule (unless the developer and the storm water authority agree on a greater alternate contribution) established by City, based on the estimated cost savings to the developer resulting from the waiver and the estimated future costs to City to achieve City storm water requirements with respect to a number of cubic feet of annual storm water equivalent to the estimated number of cubic feet of annual storm water that will not achieve City storm water requirements as a consequence of the waiver. All of the monetary contributions shall be credited to an appropriate capital improvements program project, and shall be made by the developer prior to the issuance of any building permit for the development.

D. D.—Dedication of land or granting of an easement by the applicant of a value equivalent to the cost to City of the construction of an off-site storm water management facility sufficient to achieve City storm water requirements with respect to a number of cubic feet of annual storm water equivalent to the estimated number of cubic feet of annual storm water that will not achieve City storm water requirements as a consequence of the waiver. The agreement shall be entered into by the applicant and City prior to the recording of plats or, if no record plat is required, prior to the issuance of the building permit.

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E. Factors that may generate waivers:

1. Shallow Bedrock
2. High Groundwater
3. Hotspots or contaminated soils
4. City owned construction that was designed prior to 2019.

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161.08 STORM WATER STANDARDS. Unless granted a waiver by the City, applicants shall meet the storm water standards established in this chapter.

1. The site design shall provide on-site treatment during construction and post-construction to ensure no increases over underdeveloped pre-development condition settlement conditions (meadow in good condition, CN=58) for the one-year, 24-hour storm event, the five-year, 24-hour storm event, and the 100-year, 24-hour storm event.

2. The site design shall provide on-site water quality treatment for the runoff resulting from a rainfall depth of 1.25 inches over the post-construction site area in order to reduce average annual post-development total suspended solids loadings by at least 80%. Roof top areas are exempt from the site area for water quality.

3. The site design shall retain on-site for recharge a portion of the water quality treatment volume calculated as a soil specific recharge factor multiplied by the volumetric runoff coefficient multiplied by the area and all divided by 12. The soil specific recharge factor is given as 0.51 for Hydrologic Soil Group (HSG) A soils, 0.34 for HSG B soils, 0.17 for HSG C soils,

and 0.08 for HSG D soils. The volumetric runoff coefficient is calculated as $0.05 + 0.009$ multiplied by the site impervious percentage. See the *Iowa Storm Water Management Manual* for additional clarification on the calculation. For areas of the site where there is no feasible way to achieve the recharge requirement, other options may be considered by the City if the options meet the performance standard listed for sites with restrictions in subsection 4 below.

4. Applicant shall fully attempt to comply with the standards in subsections 1 through 3 above. Options considered and presented shall examine the merits of relocating project elements to address varying soil conditions and other constraints across the site. If full compliance is not possible, the following flexible treatment options shall be used:

A. Applicant shall document the flexible treatment options sequence starting with Alternative #1. If Alternative #1 cannot be met, then Alternative #2 shall be analyzed. If Alternative #2 cannot be met then Alternative #3 shall be met. When all of the conditions are fulfilled within an alternative, this sequence is completed.

B. Recharge techniques considered shall include infiltration, reuse and rainwater harvesting, and canopy interception and evapotranspiration and/or additional techniques included in the *Iowa Storm Water Management Manual*.

C. Higher priority shall be given to BMPs that include volume reduction. Secondary preference is to employ filtration techniques, followed by rate control BMPs.

D. Factors to be considered for each alternative will include:

- (1) Karst or Coal geology.
- (2) Shallow bedrock.
- (3) High groundwater.
- (4) Hotspots or contaminated soils.
- (5) Excessive cost.
- (6) Poor soils (infiltration rates that are too low or too high, problematic urban soils).

E. Alternative #1: Applicant attempts to comply with the following conditions:

- (1) Achieve recharge to the maximum extent practicable, and
- (2) Treat by means of a filtration-based storm water treatment facility, the water quality volume determined in standard 2 above in order to provide removal of fine particles, and
- (3) Options considered and presented shall examine the merits of relocating project elements to address varying soil conditions and other constraints across the site.

F. Alternative #2: Applicant attempts to comply with the following conditions:

- (1) Achieve recharge to the maximum extent practicable, and
- (2) Remove 80% of the annual Total Suspended Solids load, and
- (3) Options considered and presented shall examine the merits of relocating project elements to address varying soil conditions and other constraints across the site.

G. Alternative #3: Off-Site Treatment. Off-site mitigation, as outlined in Section 161.07(2), Waivers, of the required treatment volume that cannot be provided on site can be used to protect Walnut Creek or North Walnut Creek.

5. The site shall be designed to provide vegetated buffers for water quality protection adjacent to receiving channels and waters. Buffers shall commence at "top of bank", or at the delineated boundary of the water body. Buffer width as based on land use and are as follows:

- A. Residential: 30 feet
- B. Industrial: 50 feet
- C. Mid/High Density Residential & Commercial: 50 feet

Redevelopment of infill parcels that are surrounded by existing development shall be considered on a case by case basis. The intent of this section of ordinance is not to make existing lots undevelopable.

5.6. The site shall be designed using the Better Site Design process. Better Site Design involves techniques applied early in the design process to preserve natural areas, reduce impervious cover, distribute runoff and use pervious areas to more effectively treat storm water runoff. Site design should address open space protection, impervious cover minimization, and runoff distribution and minimization, and runoff utilization through considerations such as:

- A. Open space protection and restoration.
 - (1) Conservation of existing natural areas (upland and wetland).
 - (2) Reforestation.
 - (3) Re-establishment of prairies.
 - (4) Restoration of wetlands.
 - (5) Establishment or protection of stream, shoreline and wetland buffers.
 - (6) Re-establishment of native vegetation into the landscape.
- B. Reduction of impervious cover.
 - (1) Reduce new impervious cover through redevelopment of existing sites and use of existing roadways, trails etc.
 - (2) Minimize street width, parking space size, driveway length, sidewalk width.
 - (3) Reduce impervious surface footprint (e.g., two-story buildings, parking ramp).
- C. Distribution and minimization of runoff.
 - (1) Utilize vegetated areas for storm water treatment (e.g., parking lot islands, vegetated areas along property boundaries, front and rear yards, building landscaping).
 - (2) Direct impervious surface runoff to vegetated areas or to designed treatment areas (roofs, parking, driveways drain to pervious areas, not directly to storm sewer or other conveyances).
 - (3) Encourage infiltration and soil storage of runoff through grass channels, soil compost amendment, vegetated swales, rain gardens, etc.

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(4) Plant vegetation that does not require irrigation beyond natural rainfall and runoff from the site.

D. Runoff utilization.

(1) Capture and store runoff for use for irrigation in areas where irrigation is necessary.

6.7. The following general criteria shall be incorporated in site design for storm water runoff to protect surface and ground water and other natural resources:

- (1) Reduce impacts on water.
- (2) Protect soils.
- (3) Preserve vegetation.
- (4) Decrease runoff volume.
- (5) Decrease erosion and sedimentation.
- (6) Decrease flow frequency, duration, and peak runoff rates.
- (7) Increase infiltration (groundwater recharge).
- (8) Maintain existing flow patterns.
- (9) Reduce time to peak flows by increasing the time of concentration to and through storm sewers.
- (10) Store storm water runoff on-site.
- (11) Avoid channel erosion.

87. Topsoil Requirements:

a. Preservation: No topsoil shall be permanently removed from any construction site in accordance with the Iowa Department of Natural Resources General Permit 2. The preservation of topsoil shall be met only when the depth of topsoil after soil disturbing activities have been completed and final stabilization achieved for the permitted activity is equal to, or greater than, 4.0 inches on all areas of the site where the surface of the ground disturbed for the permitted land disturbing activities is exposed and not covered by concrete, asphalt, gravel or other such impervious material. If 4.0 inches of on- site topsoil is not available, imported topsoil meeting the requirements below or the amendment of existing low - quality on-site material may be used to comply with this requirement. Three inches of low - quality on-site soil, may be incorporated with a minimum of 1. 5 inches of compost meeting the requirements below to achieve an acceptable equivalent alternative. Topsoil shall be defined as the soil material excavated from the upper 12 -inches of the soil profile that has a uniform quality free from debris, hard clods, roots, sod, stiff clay, hard pan, stones larger than 1 inch, has a high degree of fertility with an organic matter content of at least 2%, is free of herbicides that prohibit plant growth, has a pH level between 6. 0 and 8. 0, and is friable with a clay content less than 25%. Compost shall be defined as stable, mature, decomposed organic solid waste that is the result of the accelerated, aerobic biodegradation and stabilization under controlled conditions. The result is a uniform dark, soil - like appearance with 100% of the material passing through a 1 inch sieve (3/8 or 1/2 inch screen preferred), a pH range between 5. 5 and 9, a minimum organic matter content of 35% dry weight and a soluble salt content of less than 4.0 mmhos/ cm

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b. Compaction: For the purposes of compliance with the Iowa Department of Natural Resources General Permit # 2 requirements, the minimum standard for " minimizing soil compaction" shall be defined as working the soil prior to seeding/ sodding such at a penetrometer can be inserted into the upper 6 inch with less force than 200 psi. As an alternative to the penetrometer test, a soil with a bulk density of less than 1. 6 grams/ cubic centimeter shall be deemed compliant with this requirement.

161.09 APPROVAL OF STORM WATER MANAGEMENT CONCEPT PLAN. No application for development will be accepted unless it includes a storm water management concept plan detailing in concept how runoff and associated water quality impacts resulting from the development will be controlled or managed. The storm water management concept plan shall meet the following requirements:

1. Be prepared by a licensed professional engineer or landscape architect or individual credentialed in a manner satisfactory to the City.
2. Indicate whether storm water will be managed on site or off site and, if on site, the general location and type of practices BMPs, with clear citations to the SUDAS Design Manual and Iowa Storm Water Management Manual.
- 2.3. Include a signed and dated certification under penalty of perjury by the preparer of the storm water management concept plan that it complies with all requirements of this chapter and the Iowa Storm Water Management Manual, meets the submittal requirements outlined in the Iowa Storm Water Management Manual, is designed to achieve City storm water requirements, and that the City is entitled to rely upon the certification as due diligence on the part of City.
3. Include a signed and dated certification under penalty of perjury by the preparer of the storm water management concept plan that it complies with all requirements of this chapter and the SUDAS Design Manual, meets the submittal requirements outlined in the SUDAS Design Manual, is designed to achieve City storm water requirements, and that the City is entitled to rely upon the certification as due diligence on the part of City.
4. Include sufficient information (e.g., maps, hydrologic calculations, etc.) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the storm water BMPs proposed for managing storm water generated at the project site. The intent of this conceptual planning process is to determine the type of storm water BMPs necessary for the proposed project, and ensure adequate planning for management of storm water runoff from future development. To accomplish this goal, the following information shall also be included in the storm water management concept plan:

A. A soil management plan as defined by the Iowa Stormwater Management Manual shall be provided and include a technical assessment of soils that identifies the soil series and the site limitations based on soils data provided in the Web County Soil Survey hosted by Natural Resources Conservation Service (NRCS). It may only be used if soils have not been highly disturbed. Soil borings shall be included when necessary to confirm suitable site conditions for placement of buildings with basements and related structures, especially in areas with hydric soils and shallow depth to groundwater. If a stormwater BMP depends on the hydraulic properties of soils, then the assessment shall include soil borings and measurements of percolation/infiltration rates. The number and location of required soil borings and/or soil test sites shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the BMP. Borings may range from a minimum of 5' to 20' below subgrade depending on the size of the BMP. This information shall be used to provide a summary of the

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associated risks and potential for adequate drainage related to infiltration practices, groundwater mounding and basement flooding. Consultation with a Certified Professional Soil Scientist, Soil Classifier, or Geotechnical Engineer may be necessary or required.

A-B. A map (or maps) indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural storm water management and sediment and erosion BMPs. The map(s) will also clearly show proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads, and easements; and the limits of clearing and grading. A written description of the site plan and justification of proposed changes in natural conditions may also be required. A copy of the current SWPPP may satisfy this requirement.

B-C. Sufficient engineering analysis to show that the proposed BMPs are capable of achieving City storm water requirements for the site in compliance with this chapter.

D. A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project and a description of the watershed and its relation to the project site. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site. Particular attention should be paid to environmentally sensitive BMPs that provide particular opportunities or constraints for development.

C.E. Landscaping and stabilization shall be accomplished to prevent stormwater violations or impairment of BMPs. In addition, a landscaping plan must be submitted with the final as-built drawings describing the vegetation stabilization and management techniques to be used at the site after construction is completed. This plan will include the entity responsible for vegetation at the site and practices that will be used to ensure adequate vegetative cover.

D.F. A written description of the required maintenance burden for any proposed BMPs.

E.G. The City may also require a concept plan to consider the maximum development potential of a site under existing zoning, regardless of whether the applicant presently intends to develop the site to its maximum potential.

F.H. For development occurring on a previously developed site, an applicant shall be required to include within the storm water management concept plan BMPs for controlling existing storm water runoff discharges from the site in accordance with this chapter to the maximum extent practicable.

The storm water management concept plan shall be referred for comment to all other interested agencies, and any comments must be addressed in a storm water management final plan.

161.10 APPROVAL OF STORM WATER MANAGEMENT FINAL PLAN. No building, grading, or sediment control permit shall be issued until a satisfactory storm water management final plan (or a waiver thereof) shall have undergone a review and been approved by the City after determining that the plan or waiver is consistent with the requirements of this chapter. After review of the storm water management concept plan, and modifications to that plan as deemed necessary by City, a storm water management final plan must be submitted to the City for approval. The storm water management final plan, in addition to the information included in the storm water management concept plan, shall:

1. Be prepared by a licensed professional engineer or landscape architect or individual credentialed in a manner satisfactory to the City.
2. Indicate whether storm water will be managed on site or off site and, if on site, the general location and type of practices, with clear citations to the [SUDAS Design Iowa Storm Water Management](#) Manual.
3. Include a signed and dated certification under penalty of perjury by the preparer of the storm water management final plan that it complies with all requirements of this chapter and the SUDAS Design Manual, meets the submittal requirements outlined in the [SUDAS Design Iowa Storm Water Management](#) Manual, is designed to achieve City storm water requirements, and that City is entitled to rely upon the certification as due diligence on the part of City.
4. The storm water management final plan shall also include:
 - A. A detailed summary of how and why the storm water management final plan differs, if at all, from the storm water management concept plan previously submitted.
 - B. Contact information, including but not limited to the name, address, and telephone number of all persons having a legal interest in the property and the tax reference number and parcel number of the property or properties affected.
 - C. Topographic base map, consisting of a 1" = 200' topographic base map, of the site which extends a minimum of 300 feet beyond the limits of the proposed development and indicates existing surface water drainage including streams, ponds, culverts, ditches, and wetlands; current land use including all existing structures; locations of utilities, roads, and easements; and significant natural and manmade features not otherwise shown. [A minimum of 2' contours shall be shown on-site and 2' contours outside of the proposed site.](#)
 - D. Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in the *Iowa Storm Water Management Manual*. Such calculations shall include:
 - (1) Description of the design storm frequency, intensity and duration;
 - (2) Time of concentration;
 - (3) Soil curve numbers or runoff coefficients;
 - (4) Peak runoff rates and total runoff volumes for each watershed area;
 - (5) Infiltration rates, where applicable;
 - (6) Culvert capacities;
 - (7) Flow velocities;
 - (8) Data on the increase in rate and volume of runoff for the design storms referenced as referenced in the NOAA Atlas 14, Volumes 8 and 9 (April 2013); and
 - (9) Documentation of sources for all computation methods and field test results.
 - E. If a storm water BMP depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil sites shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the BMP.

F. A maintenance and repair plan for all storm water BMPs including detailed maintenance and repair procedures to ensure their continued efficient function. These plans will identify the parts or components of a storm water BMP that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.

G. A detailed landscaping plan for management of vegetation at the site after construction is finished, including who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be prepared by a registered landscape architect, landscape designer, or by the soil and water conservation district.

H. Proof of permanent ~~recorded maintenance~~ easements that will ensure access to all storm water BMPs at the site for the purpose of inspection and repair. These easements will be recorded with the storm water management final plan and will remain in effect even with transfer of title to the property.

I. Proof of a recorded maintenance agreement binding on all subsequent owners of land served by storm water BMPs to ensure maintenance and repair in accordance with the specifications of this chapter.

J. Copies of all existing SWPPPS (as required by the City's COESCO ordinance) current as of the date of submission of the storm water management final plan for all construction activities related to implementing any on-site storm water BMPs.

K. Proof that the applicant has acquired all other applicable environmental permits for the site, or that no other such permits are required, prior to submission of the storm water management final plan to the City.

L. For lot development impacted by storm water BMPs and conveyance features:

M. The builder permit holder shall provide to the Municipal Engineer, or designated City representative, an Elevation Certificate that is signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.

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N. The Elevation Certificate shall certify that the protected level (lowest opening or protective flood barrier that achieves the same result) of all buildings shall be a minimum of 3 feet above the 100-year water surface elevation of storm water BMPs.

O. Building foundations adjacent to storm water BMPs and/or storm water infrastructure (i.e. conveyance features, inlets, manholes) shall be 3 feet above the 100-year water surface elevation.

P. Accommodating Upstream Drainage Areas: Any necessary and appropriate storm water BMPs shall be designed to accommodate runoff from any upstream area potentially draining into or through the area to be subdivided, whether such area is inside or outside the area to be subdivided. Such design shall assume that the upstream area upon development or redevelopment will be regulated such that volume of surface water runoff shall be equal to the runoff from the current land use condition

K-Q. Protecting Downstream Drainage Areas: Any development shall provide for mitigation of any overload condition reasonably anticipated on any existing downstream storm water BMPs outside the area to be subdivided, provided that the development or use of the area to be subdivided creates or contributes to such condition

161.11 PERFORMANCE SECURITY OR BOND.

1. The City shall require the submittal of an installation performance security or bond prior to issuance of a permit in order to ensure that the storm water BMPs are installed by the permit holder as required by the approved storm water management final plan.
2. The amount of the installation performance security or bond shall be the total estimated construction cost of the storm water BMPs approved under the permit, plus 25%. The installation performance security or bond shall contain forfeiture provisions for failure to complete work specified in the storm water management final plan.
3. The installation performance security or bond shall be released in full only upon submission of "as-built plans" of all storm water BMPs specified in the storm water management final plan and written certification by a professional engineer that the storm water BMPs have been installed in accordance with the approved storm water management final plan and other applicable provisions of this chapter. The City will make a final inspection of storm water BMPs to ensure compliance with the approved storm water management final plan and the provisions of this chapter. Provisions for a partial pro rata release of the installation performance security or bond based on the completion of various development stages can be made at the discretion of City.
4. The installation performance security or bond shall inure only to the benefit of the City for purposes of completing, modifying, or correcting the storm water BMPs to comply with this chapter.

161.12 MAINTENANCE PERFORMANCE SECURITY OR BOND.

1. The City shall also require the submittal of a maintenance performance security or bond prior to issuance of a permit in order to insure that the storm water BMPs are maintained in an effective state for a minimum of 10 years.
2. This maintenance performance security or bond may be released by the City upon a showing satisfactory to the City that:
 - A. The permit holder has assigned to another bona fide, financially responsible legal entity, such as a homeowners' or similar organization organized under Iowa law, responsibility for maintenance of the storm water BMPs in an effective state for the balance of the 10-year period after assignment; and
 - B. Said assignee has fully accepted such responsibility in a written document that qualifies for recording and has been recorded in the County Recorder's office under Iowa law; and
 - C. Said assignee posts a substitute maintenance performance security or bond subject to release at the end of the initial 10-year period upon a further showing by the assignee that the storm water BMPs are, in the City's sole judgment, still reasonably effective.
3. This maintenance performance security or bond shall inure only to the benefit of the City to ensure the proper maintenance of the storm water BMPs.

4. This maintenance and performance security or bond may be issued on an annual basis, provided that there is no lapse in coverage.

5. The maintenance performance security bond amount shall be for 25% of the total cost of the overall permitted project unless otherwise specified by the City.

161.13 CONSTRUCTION INSPECTION.

1. The applicant must notify the City in advance before the commencement of construction. Regular inspections of construction of the storm water BMPs shall be conducted by City or City's designated representative. Inspections will be conducted before any land disturbing activity begins, at the time of footing inspections, at the completion of the project; and prior to the release of financial securities. All inspections shall be documented and written reports prepared that contain the following information:
 - A. The date and location of the inspection; and
 - B. Whether construction is in compliance with the approved storm water management concept plan; and
 - C. Variations, if any, from the approved storm water management concept plan.
2. If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions. No additional work shall proceed until any violations are corrected and all work previously completed has received approval by City.
3. After construction is completed, applicants are required to submit actual "as-built" drawings satisfactory to City for any storm water BMPs located on site. The drawings must show the final design specifications for all storm water BMPs and must be certified by a professional engineer. A final inspection by City is required before the release of the installation performance security or bond can occur.
4. Landscaping and stabilization shall be accomplished to prevent violation of City storm water requirements or impairment of BMPs. In addition, a landscaping plan must be submitted with the final as-built drawings describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be prepared by a registered landscape architect, landscape designer, or by the local soil and water conservation district, and must be approved prior to receiving a permit. This is by reference incorporated into the site plan review process.

161.14 MAINTENANCE AND REPAIR OF STORM WATER BMPs. The applicant or owner of every site or an assignee qualified pursuant to Section 161.12 shall be responsible for maintaining as-built storm water BMPs in an effective state as determined in the sole judgment of City for 10 years from and after completion of construction in perpetuity or until further redevelopment of the site.

1. **Maintenance and Repair Easement.** Prior to the issuance of any permit for development involving any storm water BMP, the applicant or owner of the site must execute a maintenance and repair easement agreement that shall be binding on all subsequent owners of land served by the storm water BMP. The agreement shall provide for access to the BMP and the land it serves at reasonable times for periodic inspection by City or City's designee and for regular or special assessments of property owners to ensure that the BMP is maintained in proper working condition to meet City storm water requirements. The easement agreement shall be recorded by City at the expense of the permit holder or property owners.

2. Maintenance Covenants.

- A. Maintenance of all storm water BMPs shall be ensured through the creation of a formal maintenance covenant that must be approved by the City and recorded prior to the

storm water management final plan approval. The creation of these maintenance covenants are the responsibility of the property owner or their designated agent. As part of the covenant, a schedule shall be developed for when and how often maintenance will occur to ensure proper function of the storm water BMPs. The covenant shall also include plans for periodic inspections to ensure proper performance of the BMPs between scheduled cleanouts.

B. The City, in lieu of a maintenance covenant, may (but is not required to) accept dedication of any existing or future storm water BMP to include City responsibility for maintenance and repair, provided that: the maintenance and repair of such element will not impose an undue burden on other City taxpayers who enjoy little if any benefit from the BMP; the BMP meets all the requirements of this chapter; and the dedication includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

3. **Requirements for Maintenance Covenants.** All storm water BMPs must undergo, at the minimum, an annual inspection to document maintenance and repair needs and ensure compliance with the requirements of this chapter and accomplishment of its purposes. These needs may include (but are not limited to) removal of silt, litter, and other debris from all storm water treatment and conveyance facilities, including ponds, infiltration basins, rain gardens, catch basins, inlets, and drainage pipes, grass cutting and vegetation removal, and necessary replacement of landscape vegetation. Any maintenance or repair needs detected must be corrected by the developer or entity responsible under a written maintenance agreement in a timely manner, as determined by City, and the inspection and maintenance requirement may be increased as deemed necessary to ensure proper functioning of the storm water BMPs.

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4. **Inspection of Storm Water BMPs.** Inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of State or federal water or sediment quality standards or the NPDES storm water permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in storm water BMPs, and evaluating the condition of storm water BMPs.

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5. **Right of Entry for Inspection.** When any new storm water BMP is installed on private property, or when any new connection is made between private property and a public storm water management facility, sanitary sewer or combined sewer, the property owner shall grant to City the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when City has a reasonable basis to believe that a violation of this chapter is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this chapter.

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6. **Records of Installation and Maintenance and Repair Activities.** Parties responsible for the operation and maintenance of storm water BMPs shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least five (5) years or longer if the City Inspector deems it necessary. These records shall be made available to City during inspection of the facility and at other reasonable times upon request.

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7. **Failure to Maintain Storm Water BMPs.** If a responsible party fails or refuses to meet the requirements of the maintenance covenant or any provision of this chapter, the City, after

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reasonable notice, may correct a violation by performing all necessary work to place the BMP in proper working condition. In the event that the storm water BMP becomes a danger to public safety or public health, the City shall notify the party responsible for maintenance of the storm water BMP in writing. Upon receipt of that notice, the responsible person shall have thirty (30) days to effect maintenance and repair of the storm water BMP in an approved manner. After proper notice, the City may assess, jointly and severally, the owners of the storm water BMP or the property owners or the parties responsible for maintenance under any applicable written agreement for the cost of repair work and any penalties; and the cost of the work shall be a lien on the property, or prorated against the beneficial users of the property, and may be placed on the tax bill and collected as ordinary taxes.

161.15 ENFORCEMENT AND PENALTIES.

1. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.
2. Violation of any provision of this chapter may also be enforced as a municipal infraction within the meaning of Section 364.22 of the *Code of Iowa*, pursuant to Chapter 4 of this Code of Ordinances.
3. Enforcement pursuant to this section shall be undertaken by City upon the advice and consent of the City Attorney or other counsel employed by City.
4. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the City may take necessary corrective action, the cost of which shall become a lien upon the property until paid.
5. Occupancy permits shall not be granted until all storm water BMPs have been inspected and approved by City.

161.16 APPEAL. Administrative decisions by City staff and enforcement actions may be appealed by the developer or property owner to the City Council pursuant to the following rules:

1. The appeal must be filed in writing with the City Clerk within five (5) business days of the decision or enforcement action.
2. The written appeal shall specify in detail the action appealed from, the errors allegedly made by the enforcement officer giving rise to the appeal, a written summary of all oral and written testimony the applicant intends to introduce at the hearing, including the names and addresses of all witnesses the applicant intends to call, copies of all documents the applicant intends to introduce at the hearing, and the relief requested.
3. The enforcement officer shall specify in writing the reasons for the enforcement action, a written summary of all oral and written testimony the enforcement officer intends to introduce at the hearing, including the names and addresses of all witnesses the enforcement officer intends to call, and copies of all documents the enforcement officer intends to introduce at the hearing.
4. The City Clerk shall notify the applicant and the enforcement officer by ordinary mail and shall give public notice, in accordance with Chapter 21 of the *Code of Iowa*, of the date, time, and place for the regular or special meeting of the City Council at which the hearing on the appeal shall occur. The hearing shall be scheduled for a date not less than four (4) or more than twenty (20) days after the filing of the appeal. The rules of evidence and procedure and the standard of proof to be applied shall be the same as provided by Chapter 17A, *Code of Iowa*. The applicant

may be represented by counsel at the applicant's expense. The enforcement officer may be represented by the City Attorney or by an attorney designated by the City Council at City expense.

5. The decision of the City Council shall be rendered in writing and may be appealed to the Iowa District Court.

[The next page is 1004]

ORDINANCE NO. 19-05

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA, BY AMENDING CHAPTER 161 POST-CONSTRUCTION STORM WATER CONTROL

WHEREAS, the City of Windsor Heights seeks to promote the public health, safety, general welfare and aesthetics of the community through consistent, content-neutral and nondiscriminatory code requirements within its city limits; and

WHEREAS, the City Council finds that a high standard for storm water control to establish rules and regulations governing the discharge of storm water within the City in order to protect the public health, safety, and welfare.

WHEREAS, the City's Engineer reviewed and proposed changes to Chapter 161 on May 20, 2019 and recommended approval of the same; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the revisions to Chapter 161 ordinance are necessary and will promote the health, safety, general welfare and aesthetics of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapter 161 of the Windsor Heights Code of Ordinances to enhance the effectiveness of storm water management and provide guidelines.

SECTION 2. Amended. Chapter 161 of the Windsor Heights Code of Ordinances, Post-Construction Storm Water Control, is amended as reflected in the attached Exhibit A.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this _____ day of _____, 2019.

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Publish Date: _____

Dave Burgess, Mayor

(SEAL)

ATTEST:

Travis Cooke, City Clerk

CHAPTER 96

BUILDING SEWERS AND CONNECTIONS

| | |
|-------------------------------|--|
| 96.01 Permit; Fees | 96.06 Inspection Required |
| 96.02 Plumber Required | 96.07 Property Owner's Responsibility |
| 96.03 Excavations | 96.08 Abatement of Violations |
| 96.04 Connection Requirements | 96.09 Sewer Lateral Repair/Replacement |
| 96.05 Sewer Tap | |

96.01 PERMIT; FEES. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City. The person who makes the building sewer connection application shall pay a permit fee to the Clerk to cover the cost of issuing the permit and supervising, regulating, and inspecting the work. All permit fees under this chapter shall be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such permit fees may, from time to time, be amended by the Council by resolution. A copy of the resolution setting forth the currently effective permit fees shall be kept on file in the office of the City Administrator, and be open to inspection during regular business hours. Sewer Service connection fees are charged for the addition of a new service onto a City sewer. Connection fees are not to be charged for the replacement of an existing service lateral. Fees are charged as follows:

1. Residential Sewer Connection Fee. A fee of \$200 is to be paid prior to the issuance of any permits.
2. Non-Residential Sewer Connection Fee. A fee of \$300 is to be paid prior to the issuance of any permits.

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96.02 PLUMBER REQUIRED. All installations of building sewers and connections to the public sewer shall be made by a State-licensed plumber.

96.04 EXCAVATIONS. All trench work, excavation, and backfilling required for the installation of a building sewer shall be performed in accordance with the provisions of the *International Plumbing Code* and the provisions of Chapter 135 of this Code of Ordinances.

96.04 CONNECTION REQUIREMENTS. The installation of the building sewer and its connection to the public sewer shall conform to the requirements of the *International Plumbing Code*, the laws of the State and other applicable rules and regulations of the City.

96.05 SEWER TAP. Connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If no properly located "Y" branch is available, a saddle "Y" shall be installed at the location specified by the Superintendent. The public sewer shall be tapped with a tapping machine and a saddle appropriate to the type of public sewer shall be glued or attached with a gasket and stainless steel clamps to the sewer. At no time shall a building sewer be constructed so as to enter a manhole unless special written permission is received from the Superintendent and in accordance with the Superintendent's direction if such connection is approved.

96.06 INSPECTION REQUIRED. No building sewer shall be covered, concealed, or put into use until it has been tested, inspected, and accepted as prescribed in the *International Plumbing Code*.

96.07 PROPERTY OWNER'S RESPONSIBILITY. All costs and expenses incident to

the installation, connection, and maintenance of the building sewer shall be borne by the owner. The property owner is responsible for the “Y”, or any other type of connection or connecting device, that connects the City sewer to the sewer service lateral. The property owner is responsible for the delivery of sewage to the sewer main.

96.08 ABATEMENT OF VIOLATIONS. Construction or maintenance of building sewer lines, whether located upon the private property of any owner or in the public right-of-way, which construction or maintenance is in violation of any of the requirements of this chapter, shall be corrected, at the owner's expense, within thirty (30) days after date of official notice from the Council of such violation. If not made within such time, the Council shall, in addition to the other penalties herein provided, have the right to finish and correct the work and assess the cost thereof to the property owner. Such assessment shall be collected with and in the same manner as general property taxes.

(Code of Iowa, Sec. 364.12[3])

96.09 SEWER LATERAL REPAIR/REPLACEMENT.

1. Requirements for Sewer Lateral Repair and/or Replacement. The Superintendent shall issue a notice to repair to the property owner when the sewer lateral has conditions which would result in an unacceptable amount of inflow or infiltration to enter the sewer system or which would result in an unacceptable risk of blockages. The Superintendent shall have the sole discretion to determine when repair and/or replacement is required due to unacceptable conditions of a sewer lateral. A sewer lateral shall be considered in compliance with the provisions of this chapter if inspection verifies all of the following conditions to the satisfaction of the Superintendent:

- A. The sewer lateral is free of roots, deposits of fat, oil and grease (FOG), and/or other solids which may impede or obstruct the flow of sewage.
- B. There are no illicit or illegal connections to the sewer lateral which would cause inflow, such as roof leaders, sump pumps or yard drains.
- C. All joints in the sewer lateral are tight and sound to prevent the exfiltration of sewage and/or the infiltration of groundwater.
- D. The sewer lateral is free of structural defects, cracks, breaks, or missing portions and the grade is reasonably uniform without major sags or offsets.
- E. The sewer lateral is equipped with cleanouts, if required, as determined by Superintendent.
- F. The sewer lateral is constructed of materials that are corrosive resistant, nonabsorbent, durable, and with a remaining design life of at least twenty-five years. “Orangeburg pipe,” a bituminized fiber pipe made from layers of wood pulp and pitch pressed together, shall be considered to be at the end of its design life and not compliant with the provisions of this chapter.
- G. A sewer relief valve, if required, is installed.
- H. A sewer backwater valve, if required, is installed.

2. Owners' Duty to Make Connection. When any street or alley is ordered to be paved or otherwise permanently improved, it shall be the duty of all owners of property abutting upon such street or alley upon written notice from the City to at once make permanent and substantial connections meeting the conditions listed within this ordinance with sewer, along such street or alley at their own cost and expense.

The City shall order such connections made as are necessary, stating generally the location of the street, and the kind and character of connections to be made with the kind of materials to be used, and when the work of making such connections shall be completed.

3. Method and Material. The connections made within the street or alley from the mains to and right of way in front of the abutting property and shall be in accordance with the most current version of the Statewide Urban Design and Specifications (SUDAS).

4. Method. All the connections shall be made in a thorough and substantial manner under the direction and order of the Superintendent, and in the manner provided by plans or resolution for making connections therewith, so that whenever any such paving is once laid it need not be disturbed for the making of any such connection. No repairs are allowed to be made to "Orangeburg" pipe without the written permission of the Superintendent. When encountered, "Orangeburg" is to be replaced in #sits entirely of the sewer service.

5. Notice to Connect. In case any property owner or title holder fails to make such connections within the time allotted within the provided notice for the improvements of any such street or alley, the Council may order the same and cause the Superintendent to prepare notices to such delinquent property owners to make such connections within 10 days thereafter. The notices shall be mailed by certified mail to the last known address of the property owner or personally served on the property owner. The Superintendent may at his/her option, also publish notice in a newspaper in the City stating the particular lot or lots or parcel of ground in front of which connections shall be made. The publication shall be made as required by law.

6. Completion of Work. The City shall include the connections the property owners fail to make within the capital improvement project (CIP).

7. Connections Made by City. If any owner of abutting property fails to comply with the provisions of this section by the time stated in the notice to connect, the City may proceed to have such connections made under the supervision and direction of the Superintendent, and keep an accurate account of the expenses incurred.

8. Assessment. The City Clerk shall send a statement of the total expense incurred, by certified mail, to the last known address of the property owner who has failed to abide by the notice to connect. If the amount shown on the statement is not paid within 30 days of mailing, the cost and expense of putting in connections by the City as provided herein shall be levied as a special tax against the property abutting or adjacent thereto and the method of estimating, assessing, levying, and collecting the tax shall be the same as that prescribed for general taxes.

9. Excavations After Pavement Laid. Whenever any street or alley has been ordered to be paved, and property owners owning property abutting or lying along such street or alley, have been notified by the City to connect their property by laying down pipes within the right of way in front of or along the property, any person so notified who has refused to comply with the requirements of the notice shall not enter upon such street or alley after it has been paved and make any excavation in the paved portion thereof for the purpose of connecting their property with such mains within 4

years after such paving is laid and not thereafter except by special resolution of the Council.

10. Permit Requirements. Property owner shall request permit from the City of Windsor Heights. Permit fees are waived for permits related to CIP.

(Ch. 96 - Ord. 17-02 - May 17 Supp.)

ORDINANCE NO. 19-06

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA, BY AMENDING CHAPTER 96 BUILDING SEWERS AND CONNECTIONS

WHEREAS, the City of Windsor Heights seeks to promote the public health, safety, general welfare and aesthetics of the community through consistent, content-neutral and nondiscriminatory code requirements within its city limits; and

WHEREAS, the City Council finds that a high standard for Sanitary Sewers to establish rules and regulations governing the treatment and disposal of sanitary sewage within the City in order to protect the public health, safety, and welfare.

WHEREAS, the City's Engineer reviewed and proposed changes to Chapter 96 on May 20, 2019 and recommended approval of the same; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the revisions to Chapter 96 ordinance are necessary and will promote the health, safety, general welfare and aesthetics of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapter 96 of the Windsor Heights Code of Ordinances to enhance the effectiveness of building sewers and connections for City of Windsor Heights.

SECTION 2. Amended. Chapter 96 of the Windsor Heights Code of Ordinances, Building Sewers and Connections, is amended as reflected in the attached Exhibit A.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this _____ day of _____, 2019.

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Publish Date: _____

Dave Burgess, Mayor

(SEAL)

ATTEST:

Travis Cooke, City Clerk

From: [Mike Loffredo](#)
To: [Elizabeth Hansen](#); [Dave Burgess](#)
Cc: [Mike Jones](#); [Justin Ernst](#); [Dalton Jacobus](#)
Subject: Drawing Request, PW Advisory Comm Discussion Item
Date: Wednesday, May 22, 2019 2:20:08 PM

Good afternoon, my co facilitator and I are requesting a rudimentary sketch of a modified University Ave configuration.

Simply, it would maintain the full width of the existing street; **but** starting at the center line the street would be a 3 lane street as designed by moving equal distances outward from both sides of the the center line. The remaining portions of the street on each side could provide parking for our local businesses, bus pull over zones and/or drop off zones.

The idea seems feasible, cost effective, effective and meets the **criteria** for the **"street"** design. Other design components could be considered as the CIP continues to be reviewed and modified.

Feel free to share this email with other council members or city staff. Mike Jones and/or are available for further discussion.

Respectfully submitted, Mike Loffredo, PhD



Real People. Real Solutions.

309 E 5th Street
Suite 202
Des Moines, IA 50309-1981

Ph: (515) 259-9190
Fax: (515) 233-4430
Bolton-Menk.com

May 17, 2019

Elizabeth Hansen
City Administrator
1145 66th Street, Suite 1
Windsor Heights, Iowa 50324

RE: Community Center Sidewalk Improvements
Windsor Heights, Iowa
Pay Request 6

Enclosed are three (3) copies of Pay Request No. 1 for work completed on the Community Center Sidewalk Improvements project for work completed through May 3, 2019 under the contract between the City of Windsor Heights and MNM Concrete Specialist dated January 21, 2019. We have checked the pay request and recommend payment to MNM Concrete Specialist in the amount of \$12,817.40.

The work completed is more than the bid amount due to an overrun of quantities. Another panel of sidewalk was replaced due to an existing crack along with damaged curb at the same location. The retainage of 5% has been retained.

Upon approval of Pay Estimate No. 1, please sign all copies of Pay Estimate No. 1 in the space provided. Return one executed copy of the pay estimate to our office and one executed copy of the pay estimate to MNM Concrete Specialist with payment.

If you have any questions or comments, please contact me at 515-259-9190.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in black ink, appearing to read 'Justin Ernst'.

Justin Ernst, P.E.
Project Manager

Enclosures

**PAY REQUEST 1****City of Windsor Heights**

1145 66th Street, Suite 1

Windsor Heights, IA 50324

(515) 279-3662

Contractor: MNM Concrete Specialist

3821 Hillcrest Drive

Des Moines, IA 50310

| | | | |
|------------------------------|-------------|--|--|
| Project Title | | Community Center Sidewalk Improvements | |
| Orig. Contract Amount & Date | \$12,486.00 | 02/26/19 | |
| Estimated Completion Date | | 08/07/19 | |
| Pay Period | | 4/29/2019 - 5/3/2019 | |
| Pay Request Number | | 1 | |
| Date | | 05/29/18 | |

BID ITEMS

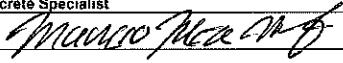
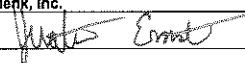
| Item No. | Description | Unit | Est. Qty | Unit Price | Extended Price | Quantity Completed | Value Completed |
|----------|---|------|----------|------------|----------------|--------------------|--------------------|
| 1 | EXCAVATION, CLASS 10, CUT | CY | 4 | \$ 300.00 | \$ 1,200.00 | 4.00 | \$ 1,200.00 |
| 2 | SUBBASE, MODIFIED SUBBASE, 4" | SY | 88 | \$ 12.00 | \$ 1,056.00 | 92.00 | \$ 1,104.00 |
| 3 | CURB AND GUTTER, PCC, 6" | LF | 18 | \$ 70.00 | \$ 1,260.00 | 23.00 | \$ 1,610.00 |
| 4 | REMOVAL OF SIDEWALK | SY | 80 | \$ 11.00 | \$ 880.00 | 83.00 | \$ 913.00 |
| 5 | REMOVAL OF CURB AND GUTTER | LF | 18 | \$ 45.00 | \$ 810.00 | 23.00 | \$ 1,035.00 |
| 6 | SIDEWALK, PCC, 6" | SY | 3 | \$ 200.00 | \$ 600.00 | 3.00 | \$ 600.00 |
| 7 | SIDEWALK, PCC, 4" | SY | 85 | \$ 50.00 | \$ 4,250.00 | 92.00 | \$ 4,600.00 |
| 8 | DETECTABLE WARNING | SF | 10 | \$ 35.00 | \$ 350.00 | 10.00 | \$ 350.00 |
| 9 | CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND M | SF | 400 | \$ 4.00 | \$ 1,600.00 | 400.00 | \$ 1,600.00 |
| 10 | LANDSCAPING MULCH | CY | 4 | \$ 120.00 | \$ 480.00 | 4.00 | \$ 480.00 |
| | | | | | TOTAL | \$12,486.00 | \$13,492.00 |

MATERIALS STORED SUMMARY

| Description | # of Units | Unit Price | Extended Cost |
|-------------|------------|------------|---------------|
| None | | | \$0.00 |
| | | | \$0.00 |
| | | | TOTAL |
| | | | \$0.00 |

| PAY REQUEST SUMMARY | | | |
|---------------------------------------|-------------------------------------|-----------------|--|
| | Total Approved | Total Completed | |
| Contract Price | \$ 12,486.00 | \$ 13,492.00 | |
| Approved Change Order 1 | | | |
| Approved Change Order 2 | | | |
| Revised Contract Price | \$ 12,486.00 | | |
| | Materials Stored | \$ - | |
| | Retainage (5%) | \$ 674.60 | |
| | Liquidated Damages | | |
| | Total Earned Less Retainage | \$ 12,817.40 | |
| Total Previously Approved (list each) | Pay Request 1 | | |
| | Pay Request 2 | | |
| | Pay Request 3 | | |
| | Pay Request 4 | | |
| | Pay Request 5 | | |
| | Pay Request 6 | | |
| | Pay Request 7 | | |
| | Pay Request 8 | | |
| | Pay Request 9 | | |
| | Pay Request 10 | | |
| | Total Previously Approved | \$ - | |
| | Amount Due This Request | \$ 12,817.40 | |
| | Percent Complete | 100% | |
| | Percent of Contract Period Utilized | 100% | |

The amount \$12,817.40 is recommended for approval for payment in accordance with the terms of the Contract

| | | |
|--|--|--|
| Contractor: MNM Concrete Specialist Signature:  | Recommended By: Bolton & Menk, Inc. Signature:  | Approved By: City of Windsor Heights Signature: Title and Date: and: Signature: Title and Date: |
| Name: Mauricio Meza | Name: Justin Ernst, P.E. | |
| Title: Owner | Title: Project Manager | |
| Date: 5-29-2019 | Date: 5-29-2019 | |

ITEM#7C
DATE: 06/03/19

COUNCIL ACTION FORM

AGENDA ITEM: DISCUSSION RELATED TO POLICE SERVICE CANINE PROGRAM.

HISTORY:

On Wednesday, March 15, 2019 Public Safety Director McCluskey learned K9 Officer Palmer was planning to move to an address in the country near Pleasant Hill. Current City policy allows City employees to live within 30-miles from the corporate boundary limits of the City, however the Windsor Heights Police Department K9 policy requires officers in the capacity as a K9 handler to “Reside within fifteen minutes response time to the boundaries of the City under normal traffic considerations,” due to callout requirements. Officer Palmer’s new address would not meet the requirement of the K9 policy.

Staff met with Palmer to discuss the issue and Palmer stated he was committed to moving even when faced with the fact he would be in violation of policy and could lose his position as the department police canine handler.

As a result of Palmer’s decision, the Police Department command staff met to discuss the K9 program and options surrounding Palmer’s move. Three options were identified: (1) reassigning the K9 to another officer; (2) selling the K9 back to the vendor; or (3) selling the K9 to Officer Palmer.

K9 programs are an asset to communities and our current K9, “Baiyco” has been involved in seizures of \$20,610 worth of illegal narcotics, “Baiyco” has 167 hours of deployment time, and “Baiyco” has been involved in 42 arrests in the two years he has been with the department.

Also important to note, the Department conducted fund raising efforts to purchase “Baiyco” in 2017 and the community donated over \$13,000.00 to the purchase of “Baiyco.”

Recent discussion by the Council about the K9 program has generated some hesitation in the re-assignment of the K9 to another handler. Due to the recent Council discussions, staff contacted Canine Tactical, the vendor used to purchase the K9 in February of 2017. Canine Tactical offered to purchase the K9 for \$1,500.00. Officer Palmer stated he would be interested in purchasing the K9 for \$1,000.00.

“Baiyco” is currently 5 years old (he was 3-years old when we acquired him), and has been in-service for just over 2-years. While “Baiyco” could easily continue working for the City of Windsor Heights for anywhere between two and five more years, at his age he is likely over halfway through his career. In addition, resale of police canines is difficult as agencies typically go through a vendor for such purchases rather than buying from another police

department. Reasons agencies do not purchase canines from other agencies include workability and health guarantees provided by vendors, not offered by an agency resale.

Staff is looking for direction from the Council on their desire to support the K9 program and reassign "Baiyco" to another handler, or selling the K9 and suspending the K9 program.

BUDGET:

The FY20 budget for the K9 line item is \$2,500.00. Should the Council support the K9 program and the K9 be reassigned, there will likely be a cost to training a new handler which could be absorbed in the approved FY20 budget without additional funding.

Should the Council elect to suspend the program, the \$2,500.00 in the FY20 budget would not be needed, and sale of "Baiyco" could generate \$1,000 or \$1,500 in revenue. In addition, suspension of the program would likely result in the sale of some equipment and the K9 vehicle generating additional revenue. Staff would likely attempt to sell the vehicle, as a K9 vehicle, to another agency before stripping vehicle and selling components.

OPTIONS:

1. Support continued operation of the K9 program and reassign the K9 to another handler.
2. Elect to suspend the K9 program and sell the canine back to Canine Tactical, the vendor, for \$1,500.00.
3. Elect to suspend the K9 program and sell the canine to Officer Palmer for \$1,000.00.



AGENDA OF THE WINDSOR HEIGHTS COUNCIL DEVELOPMENT COMMITTEE

Thursday, May 30, 2019

7:30 A.M. – 8:30 A.M.

1145 66th St., Suite 1 - City Hall Conference Room

7:30 Opening Welcome by Mayor Burgess

7:35 Development Initiatives and Marketing – Pitch Book

- A. Business and Synchronist Visits – Staff updated the group on 3E and who is eligible for a Synchronist visit in Windsor Heights
- B. Main Street Meetings with Chamber President – The Chamber is hiring a new executive director and has the forms. When ready and when new administrator is here, may elect to conduct these visits.

7:40 Development Planning Update –

- A. University Avenue Corridor Redesign – City Council to approve in July and DOT in fall. Bid in December 2019 for FY20/21 construction. Grant writing efforts and finance. Staff updated the group on the agenda item and timing on Council approval of the Plans and Specifications. A few grants are due at the end of the year. LOSST, ATE, TIF and General Fund revenues could all assist after grant efforts have been exhausted. Two grants are due on 7/15/19, which have been forwarded to Justin at BMI to complete.
- B. Wal-Mart, Redevelopment and Bike/Trail Hub – A Bloomberg reporter is researching the Wal-Mart Reimagined projects nation-wide and said only one project was complete in Texas, but only included a burger restaurant. Another is underway, but only added two restaurants. He said the economic development director in Loveland, CO is unaware when Wal-Mart will break ground on their project and staff from two Washington state projects has not heard from Wal-Mart since 2/2018. The reporter wondered why we thought we were in the que after Loveland, Colorado. The article will be interesting after it is released.
- C. Windsor Court, 6500 Hickman Road – Staff to report later.
- D. Windsor Presbyterian Church – Staff presented a draft RFP for the group to review.
- C. Benchmark Real Estate Group – This development team presented to the committee a potential project, including a bridge over Walnut Creek and Bike Hub. The Committee requested a discussion with Council at an upcoming meeting.

8:15 New Business

- A. Green Development Incentives:
 1. Iowa Clean Cities Coalition, Transportation - Public Works Staff joined the discussion on LED lighting and amending the Complete Street Policy to include conduit for electric vehicles.

8:30 Adjourn: We adjourned at 8:49 a.m.

University Avenue Reconstruction Project

Potential Funding Sources

| Source | Application Deadline | Amount | Status | Comments Approve/Declined |
|---|----------------------|--------------------|-------------------|--|
| Windsor Heights Community Foundation | Open | \$30,000 | Requested 4/26/19 | Will meet with Mayor on 6/11/19 |
| Wal-Mart Foundation | 2/15-12/31/2019 | \$5,000 | Applied 2/21/2019 | Pending |
| Prairie Meadows | 2/28/2019 | \$250,000 | Applied 2/8/2019 | Presented on 4/8/19 |
| Polk County Community Betterment | 2/28/2019 | \$5,000 | Applied 2/1/2019 | Pending |
| Transportation Alternatives Program (TAP) | 12/1/2019 | \$100,000 | | |
| State Transportation Block Grant | 12/7/2018 | \$2,000,000 | Applied 12/4/2018 | Approved \$500,000 |
| Land and Water Conservation Fund | 3/15/2019 | \$75,000 | Applied 3/15/19 | Approved \$75,000 |
| Enhance Iowa Grant | 10/15/2020 | | | Last money in |
| Wellmark Foundation - Small Grant | 6/7/2019 | \$25,000 | Applied 5/7/19 | Pending |
| Wellmark Foundation - Large Competitive Grant | 2/22/2019 | \$100,000 | Applied 2/11/2019 | Denial Email rcvd 4/30/19 |
| Iowa Clean Air Attainment Program (ICAAP) | 7/15/2019 | \$400,000 | | Forwarded to BMI |
| Metro Waste Authority (WMA) | 6/30/2020 | \$10,000 | | Must apply in year of project completion |
| Department of Ag - Water Quality Urban Conservation | 12/1/2019 | \$50,000 | | |
| Doppelt Family Trail Development Fund | 1/31/2019 | \$25,000 | Applied 1/30/2019 | Denied |
| BUILD Transportation Grant | 7/15/2019 | \$3,000,000 | | Forwarded to BMI |
| Urban State Traffic Engineers Program | Open | \$250,000 | | |
| TOTAL | | \$6,325,000 | | |

Created 1/29/19

Updated 3/8/19

3/13/2019

4/30/2019

5/14/2019

5/30/2019

Public Works Staff Report for 3 June 2019 Council Meeting

Report covers 4/30/2019-5/29/2019

Operations:

- Did a break in oil change on the zero turn mower purchased over the summer. Also did preventative and routine maintenance on all mowers and small engine equipment.
- Backfilled driveway approach to Lion's Park and seeded with grass.
- Checked out the water cooler in the Fire Department bay. Recommended that they call a service technician to make the repair.
- Installed the sun shade canopies in Colby Park
- Removed the dead bush near the Remax building at 66th and University.
- Worked on leveling the table and chairs in the CH breakroom.
- Removed graffiti on the traffic signal at 66th and University.
- Replaced GFCI outlets on the boom truck's inverter system.
- Coordinated fire hydrant replacement in the 1800 block of 64th Street.
- Worked with Parking Lot Specialties on the second and final phase of the 2019 – Crack Sealing Project. In total, we were successful in preserving 43,711 linear feet of pavement, which equals roughly 8.28 miles of roadway.
- Replaced a light fixture in the women's restroom at the CEC that has been damaged for a few years.
- Had an old refrigerator from the Public Safety Building removed by Ankeny Sanitation.
- Coordinated hydrant replacement near Washington and 68th.
- Conducted a streetlight inventory on the evening of May 7th. There were 7 lights that were not functioning properly. I turned these in to MidAmerican to get work orders created.
- Checked manholes on streets that were either patched or overlaid last year. There were five issues found, which were sent to the contractor to get fixed.
- Finished installation of the trail signage with the help of the Windsor Heights Foundation.
- Coordinated the street painting project on 73rd Street with QSI.
- We have had to close different portions of the trail 3 times in the month of May due to seasonal flooding. Each time that we close the trail we have to spend time cleaning off the mud and debris to open it back up, which takes anywhere from half a day to a full day depending on the severity.
- We will be installing a sign indicating that the new pedestrian ramp at the CEC is the designated route into the building. The sign has been ordered and will be installed as soon as it's delivered.
- Communicated with the contractor that is installing the fiber optic cables around town about jobsite cleanliness, safety, and traffic control. There will be a separate crew in town for project restoration when the installation has been completed.

- Got a count of the speed limit signs on University Avenue that will need to be changed if the speed limit is changed. We gave our sign supplier notice that we would possibly be making a large order in the next month so that he would be ready for it.
- Timed every pedestrian push button in the City and all push buttons directly adjacent to the City as a result of complaints from the Public at the 20 May 2019 Council Meeting. There is a large amount of data to process for this project, but early indications are that, there are no deficiencies in timing on any of the push buttons. As time allows, I will plug all of this data into an excel spreadsheet. We inspect all pedestrian push buttons semi-annually. They were last inspected on 3/1/2019, at which time we found two faults and made repairs. They will be inspected again on 9/2/2019.
- Respond to a sewer back up in the vicinity of 7115 Washington Avenue. The sewer was backed up because of a large grease clog in the main line. Staff was able to get the line cleared and flowing properly.
- All sewers on the Sunset Terrace branch of our collection system have been cleaned. Our next focus will be on the Washington Street stretch. After that we will transition to the neighborhood south of University Avenue. Our goal is to have all sewers cleaned this summer.
- The crew has been filling potholes as often as they can. There are currently still 19 pothole complaints that need addressed. This work will extend well into the middle of the summer.

Information:

- Put together information for the Public Safety Committee regarding existing Traffic Signal 28E Agreements with the Cities of Urbandale and Des Moines as well as a summary of the conversation that I had with the City Engineer for Des Moines about this situation.
- The new tables for the CEC were delivered on 30 April. They will be stored in the mezzanine of the CEC and put into use as needed.
- Researched warrants and logistics for installing a stop sign at the intersection of 68th and Colby. We will not be installing a stop sign at this intersection because it does not come close to meeting warrants for vehicular or pedestrian traffic. Communicated my findings with our engineers, Public Safety Director, and the resident that made the request.
- Re-Hired Bobby Fleming to work seasonally for the Department over the summer months. Bobby worked with us last season and was a great addition to the Department. He is also a member of the Fire Department.
- All salt was ordered and delivered for the 2019/2020 snow season. We had 160 tons of salt delivered to the Public Works facility and no salt taken to the MWA Facility in Grimes because we are still above our allotted tonnage out there.
- The Urbandale Public Works Department received competitive quotes for the 2019 – CIPP Lining Project. They will be running project administration on this project since the entirety of the work

will be completed in the UWHSD. We were able to get better prices by having the contractor bill Urbandale and then only making one request for reimbursement through the District.

- Put together estimates for the fee waivers for the Chamber and Foundation in regards to the July 4th Parade and Fireworks.
- Baru has finally told us that they are not interested in renting the parklet this year. They had told us that they wanted it again so we did not solicit any other potential renters. We are looking for alternative renters at this time.
- Researched assessment policies for other metro communities.
- Submitted the April 2019 report for the MWA Environmental Enhancement Grant.
- Researched “SLOW CHILDREN AT PLAY SIGNS” at the request of a resident on Carpenter Avenue near the Lutheran Church. Found that these signs are never recommended to be installed and corresponded these findings with the resident and Public Safety Director.
- Monitored signal timing at the intersection of 63rd Street and University Avenue. In particular, there was a report that the NB green arrow from EB University was not cycling correctly. It appears to be cycling as designed and flowing traffic adequately.’
- Met with the City’s ICMA representative and scheduled individual meetings for the two public works employees that are near retirement so that they could start to get a more detailed plan for their future.
- Communicated with Clive and Cowles Elementary Schools about participating in a “Paint a Plow” Program this fall. I have not heard back from the administration at either school.
- Communicated with the training officer for the Iowa Water Environment Association (IAWEA) about getting Grade I Collector Certification exams scheduled for Public Works Staff.
- Reviewed the site plan for the Jake’s Fireworks project.
- Reviewed fuel consumption for the Public Works fleet.
- Investigated a drainage complaint on Colby Avenue. The issue appears to be civil in nature. I communicated this with the resident that contacted us.
- Coordinate a presentation with the NRCS about Stormwater BMP’s.
- Reviewed the traffic 28E’s that we currently have with Des Moines and Urbandale.
- Spoke with the MWA about graphics and educational materials that we can be using in our communications materials and on the social media accounts.
- Broke out the FEMA reimbursements into anticipated Public Works expense accounts.
- Reviewed the estimate on hard costs associated with the installation of the Harmony Park equipment
- Researched privately owned infrastructure on 66th Street south of University Avenue at the request of a resident.
- There are two storm infrastructure issues that we are currently soliciting quotations for. Work on these will begin as soon as we are able to gather enough quotations to satisfy the purchasing policy and send to council for approval, if needed:
 - 73rd and Colby: the intake has collapsed and began to undermine the road in this intersection. We have cones placed to keep vehicles towards the center of the intersection.

- 6512 Franklin Ave: a corrugated metal pipe (CMP) has rusted out and started to fail.
- Reviewed all Public Works Department budgets for year end accuracy. Rectified my tracking spreadsheet with the budget summaries and expense reports provided by the Clerk.
- Started an electronic web-based time clock so that we can start phasing out all physical time sheets.
- Metro Waste Authority has selected the dead end of School Street, near the trail entrance on the north side of Colby Park, to be the site for the cardboard recycling container. We may be pouring a pad to accommodate the container in the next two weeks. I anticipate this container being delivered yet this summer.
- Communicated with the engineer from Kirkham Michael that did the bridge inspections about switching from a 24 to 48 month inspection cycle. Decided to continue inspecting every two years due to the amount of traffic that these bridges carry and the low cost of the inspection (\$750).
- Put together information for the website explaining the difference between cold mix and hot mix asphalt. Worked with the Asphalt Paving Association of Iowa (APAI) on this information.
- At the request of a resident, coordinated the removal of an abandoned MidAmerican pole on Del Matro Ct.
- Submitted a letter of interest for the EWP – Recovery Assistance Program for rain events this spring. Had a site visit with NRCS staff to show the projects that we would like to get done.
- Coordinated permits and/or inspections for several driveway and sidewalk projects
- The DNR has informed us that we qualify for a free street tree inventory. This work will be completed this summer.
- I am collecting quotes to have the right field fence for the baseball field in Colby Park filled in. The first quote came in a bit higher than expected and I am still waiting on the other three responses.
- Michele will be pursuing her Certified Parks and Recreation Professional certification in the coming months. She and I spent some time exploring what we need to do to make that happen.
- Michele and I are working on some parks and recreation initiatives. More information on these items will be in my reports in the future.
 - Bike Initiatives:
 - Nights in the Heights collaboration on July 16th (still in development):
 - Bike valet
 - Bike maintenance, safety, and trail etiquette class
 - Bike Repair Station in Colby Park:
 - Approximate cost of \$1,500 – WH Foundation has pledged \$1,000
 - Will have signage along the trail directing bicyclists to the station and park
 - B-Cycle:
 - Had a discussion with the DSM Street Collective about installing a station in the Park.
 - Need to coordinate these efforts with neighboring communities.

- Community Outing Events:
 - Possible trips this summer:
 - I-Cubs game
 - Casino Trip
 - Winery Tour
 - Rieman Gardens
 - Must be cost neutral
- Story Time in the Park:
 - Every Tuesday in June and July in the Park
 - Advertisements have been in the newsletter and on the website and facebook.
- Meetings and Events attended since last report:
 - 4/30: MWA Site Visit for cardboard recycling container
 - 5/1: Meeting with DMWW for CIP coordination
 - 5/1: US HWY 6 Traffic Coordination Meeting
 - 5/2: MPO TTC meeting
 - 5/3: Watershed Management Authority Annual Conference
 - 5/6: City Council Meeting
 - 5/8: Public Works information upload with Mayor
 - 5/8: ICMA informational meeting
 - 5/9: DSM Street Collective Meeting
 - 5/10: Public Works Committee
 - 5/13: Staff Meeting
 - 5/13: Sidewalk walk through with Kingston and BMI
 - 5/14: WRA Tech Committee
 - 5/15: SDS training – all staff
 - 5/16: ICMA Public Works site visit
 - 5/20: City Council Meeting
 - 5/21: Bike and Parks/Recreation Initiatives Planning Meeting
 - 5/21: US HWY 6 Traffic Coordination Meeting
 - 5/22: Online time sheet training
 - 5/22: Driveway approach meeting with resident
 - 5/23: 2019 Passenger Transportation Summit
 - 5/26: Walnut Creek Church - Mission to the City
 - 5/28: Staff Meeting
 - 5/28: Potential project site visit with NRCS

****Please let me know if you have questions about anything in this report and
I can get you more information****

STAFF MEETING AGENDA

TUESDAY, May 28, 2019

9:00 – 10:30 A.M.

City Hall – Conference Room

Tentative Council Meeting Agenda

All packet materials are due by noon on Wednesday. If not received, the item will be postponed until the following meeting. Invoices need to be coded and returned to staff by Monday's staff meeting to make the claims list; therefore **Claims due today**.

1. Staff Reports: a. 1st Meeting – Sheilah and Dalton b. 2nd Meeting – Chad, Travis and Jess

Business

- A. Customer Service: Pearson and Norris received appreciation from a complaint related to Clive Academy property.
- B. Cooperation/Teamwork: One Organization – How have you helped another department this last week? How can you help in the next few?
- C. Communications:
 - 1. Custom City Newsletter articles for July are due June 15 - Send to Jess
 - a. Chamber, WH Foundation and Community Events Update - 4th of July
 - b. Nights in the Heights – Harmony Park Celebration
 - c. Peddler Permits
 - d. Hazard Mitigation Plan
 - e. Storm Water Best Management Practices Reimbursement Program
 - f. Recycling – Reminders and Location, can and can't
- D. Planning and Organization:
 - 1. City Hall Facility: Checklist, Roof, Security Lighting
- E. Safety:
 - 1. Training: SDS plaquerd and clothing training for PW in June and July.
- F. Personnel Management:
 - 1. Sanitary Sewer Collector Training for all of PW
 - 2. Cooke and Vogel attended IMPI in July
 - 3. Paramedic to start on July 1
- G. Financial:
 - 1. FY 18-19: Expenses, ERP, Transfers and Budget Amendment, due 6/13. Coding back as soon as possible.

Updates

- A. Police Department – Chief attended the PD Chief's Assn Conference last week
- B. Fire/EMS/Safety – Working on FD certification appeal, pancake fundraiser went well, knoxbox update provided and structure fire of 5/24/19
- C. Public Works – Passenger training, DART. Working on bike events, green initiatives, potholes and sewers.
- D. Building and Zoning – Code enforcement – tracker is getting hit a lot by the same people.
- E. Communications/Special Events – Payroll, TA training for all, and getting the audit ready. Edie Beckerman to start for Chamber June 1.
- F. Administration – Same as Vogel.

Adjourn: Next Meeting: Monday, June 10, 2019 at 9:00 a.m. at City Hall.

ICUBS Chamber Night: Thursday, June 6 at 5:30-9.

<https://members.dsmpartnership.com/events/details/2019-chamber-night-with-the-iowa-cubs-06-06-2019-57720>